

## Foreign Account Tax Compliance Act ("FATCA") - Self-Certification (Entity)

### Instructions:

- United Overseas Bank (Malaysia) Bhd ("UOBM") is obliged under an agreement reached in substance between the Government of Malaysia and the Government of the United States of America to collect certain information about each accountholder's tax residency status and to verify the status of the account holder for FATCA purposes.
- Please fill up this form completely and in a legible manner.  
 US Entities  
 If you are a US incorporated entity with US Taxpayer Identification Number, please fill up Section 1 and proceed to Section 4.  
 Non-US Entities  
 If you are a non-US incorporated entity, please fill up Section 1,2 and only if you are a Passive Non-Financial Foreign Entity (NFFE) you will be required to complete Section 3 before proceeding to Section 4.
- Please note that you will be required to provide documentary evidence to support your status as a US or Non US Person.
- Please do not make any alterations to the pre-printed content on this form.
- Please do not use correction fluid or correction tape on this form.
- Do not use this Self-Certification Form if you are a Financial Institution. Please instead submit an U.S. IRS Form W-8BEN-E / W-8IMY / W-8ECI / W-8EXP / W-9.
- To assist you in completing this form, a glossary of terms is attached to this form. UOBM does not provide tax advice. Please consult your tax, legal and/or other professional advisers if you have any question on or in relation to FATCA, any of the U.S. IRS Form or this Self-Certification Form.

Particulars (Mandatory)	
Registered Name of Business ("the Entity")	
Country of Incorporation or Organisation	
Registered Address	
Business Registration Number	
Section 1: Entities With U.S. Tin	
Are you incorporated, established, constituted or organised in the U.S.?	
<input type="checkbox"/>	Yes. • Please provide <u>9</u> digits Entity U.S. Taxpayer Identification Number (TIN): _____ • Are you a Specified US Person? Yes <input type="checkbox"/> No <input type="checkbox"/> (Please proceed to Section 4)
<input type="checkbox"/>	No. Please complete the following sections.
Section 2: Classification For FATCA Purposes	
Please tick one of the following statements that best describes you.	
<input type="checkbox"/>	<u>Active Non-Financial Foreign Entity</u> You are not a Financial Institution, <u>AND</u> <ul style="list-style-type: none"> <li>Your stock is regularly traded on one or more established securities markets; <u>OR</u></li> <li>You are a Related Entity of an entity the stock of which is regularly traded on an established securities market; <u>OR</u></li> <li>You derive less than 50% of your gross income from Passive Income in the previous year and less than 50% of your assets were used to produce Passive Income in the previous year; <u>OR</u></li> <li>Substantially all your business activities consist of                             <ul style="list-style-type: none"> <li>holding (wholly or partially) the outstanding share of, <u>OR</u></li> <li>providing financing and services to, one or more subsidiaries that engage in non-FI trade/business. However, you do not operate 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.</li> </ul> </li> </ul>
<input type="checkbox"/>	<u>Exempt Beneficial Owner</u> You are any of the following: <ul style="list-style-type: none"> <li>Government and government-linked entities (including Malaysian Ministries, Statutory Bodies, Municipal Councils)</li> <li>International Organisations</li> <li>Central Bank</li> <li>Qualifying Funds</li> <li>Investment Entity wholly owned by exempt beneficial owners</li> </ul>
<input type="checkbox"/>	<u>Passive Non-Financial Foreign Entity (NFFE)</u> <ul style="list-style-type: none"> <li>You are not able to come within the definition of a Financial Institution, Active NFFE or Exempt Beneficial Owner</li> </ul> (Please proceed to Section 3)
<input type="checkbox"/>	<u>Others</u> You do not fall under any of the above statuses. Please provide an IRS W-8BEN-E / W-8IMY / W-8ECI / W-8EXP.

**Section 3: U.S. Controlling Persons Of Passive NFFE**

Please tick one of the following statements if your FATCA Classification is Passive NFFE

- None** of the Controlling Persons (whose percentage of ownership is 25% or greater) of the Company is/are U.S. Person(s).
- One or more** of the Controlling Persons (whose percentage of ownership is 25% or greater) of the Company is/are U.S. Person(s) details of whom are listed below.

U.S. Controlling Person	Address	% of ownership	U.S. TIN
Name: Passport/ID no.: Passport/ ID Country:			
Name: Passport/ID no.: Passport/ ID Country:			
Name: Passport/ID no.: Passport/ ID Country:			
Name: Passport/ID no.: Passport/ ID Country:			

We undertake to immediately notify UOBM in writing if any other person(s) become(s) a US Controlling Person(s).

We also undertake to provide such documents as UOBM may require for the opening of this account and from time to time in its sole discretion for the purpose of UOBM satisfying itself that the Controlling Person(s) is/are not a US Person(s).

**Section 4: Acceptance And Undertakings**

We confirm and declare that all of the information we have provided on this form is complete, current and accurate. We undertake to notify UOBM in writing of any change in circumstances that causes any certification on this form to become incorrect and to provide an appropriately updated form within 30 days of such change.

Without prejudice to any other rights or remedies UOBM may otherwise have, we shall indemnify, keep indemnified and hold harmless UOBM against any and all liabilities, actions, claims, losses, damages, costs and expenses (including but not limited to legal costs on a full indemnity basis) suffered or incurred by UOBM as a result of, or in connection any of the Beneficial Owners' US Person(s) Declaration being inaccurate, outdated or untrue.

Signature**  Name  NRIC/ Passport  Date <table border="0" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> </tr> <tr> <td style="text-align: center; font-size: 8px;">D</td> <td style="text-align: center; font-size: 8px;">D</td> <td style="text-align: center; font-size: 8px;">M</td> <td style="text-align: center; font-size: 8px;">M</td> <td style="text-align: center; font-size: 8px;">Y</td> <td style="text-align: center; font-size: 8px;">Y</td> <td style="text-align: center; font-size: 8px;">Y</td> <td style="text-align: center; font-size: 8px;">Y</td> </tr> </table>									D	D	M	M	Y	Y	Y	Y	Signature**  Name  NRIC/ Passport  Date <table border="0" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> <td style="border-bottom: 1px dashed black; width: 20px;"></td> </tr> <tr> <td style="text-align: center; font-size: 8px;">D</td> <td style="text-align: center; font-size: 8px;">D</td> <td style="text-align: center; font-size: 8px;">M</td> <td style="text-align: center; font-size: 8px;">M</td> <td style="text-align: center; font-size: 8px;">Y</td> <td style="text-align: center; font-size: 8px;">Y</td> <td style="text-align: center; font-size: 8px;">Y</td> <td style="text-align: center; font-size: 8px;">Y</td> </tr> </table>									D	D	M	M	Y	Y	Y	Y
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**\*\* To be signed by your authorised signatories duly appointed pursuant to a resolution passed by your board of directors/ partners/ committee or body of the society, association or club (where applicable), which is still in full force and effect and has not been cancelled, superseded or revoked. If there are more than two (2) authorised signatories, kindly attach additional copies of this page containing the signatures of the other authorised signatories.**

**Glossary**

Controlling Person, in Malaysia, is considered an individual who:

- a) Owns an interest of 25% or more of the equity interest in the entity;
- b) Can exercise 25% or more than 25% of the voting power at the shareholders meeting of the entity;
- c) Ultimately owns or controls the entity or who exercises ultimate effective control of the entity; or
- d) Is a beneficiary of 25% or more of the equity interest in the entity.

Entity refers to a legal person or a legal arrangement. A Trust is also considered to be an entity.

Established securities market refers generally to a Securities exchange that; (i) is officially recognized, sanctioned, or supervised by Malaysia or a governmental authority of the foreign country in which the market is located; and (ii) has an annual value of shares traded on the exchange (or a predecessor exchange) exceeding \$1 billion during each of the three calendar years.

FATCA is an abbreviation of Foreign Account Tax Compliance Act. This United States tax legislation is aimed at identifying U.S. Persons that have an account or financial assets outside of the United States. The Government of Malaysia has an agreement in substance with the Government of the United States of America with respect to the exchange of information regarding U.S. Persons in Malaysia.

Financial Institution (FI) means: a custodial institution; a depository institution; an investment entity; or a specified insurance company.

Non-Financial Foreign Entity (NFFE) refers to any non-US incorporated entity that is not a Foreign Financial Institution ("FFI").

**Glossary**

Passive income refers generally to the portion of gross income that consists of:

- a) Dividends and dividend substitute payments (income equivalent to dividend);
- b) Interest and income equivalent to interest;
- c) Rents and royalties, other than rents and royalties derived in the active conduct of a trade or business conducted, at least in part, by employees of the NFFE;
- d) Annuities;
- e) Net gains from the sale or exchange of property that gives rise to passive income described under (a) to (d) above;
- f) Income from swap-contracts;
- g) Foreign currency gains;
- h) Rental income of real estate property provided that this income can be obtained by performing little to no activity.

The list above is not exhaustive. A complete overview of passive income can be found on [www.irs.gov](http://www.irs.gov). If you are uncertain whether income is passive income, please consult a tax adviser.

**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 or value in an entity. Notwithstanding the foregoing, Malaysia may treat an entity as not a Related Entity of another entity if the two entities are not members of the same Expanded Affiliated Group ("EAG").

Specified US Person means any US Person other than those specifically excluded. The United States tax authorities (IRS) have excluded certain U.S. Persons from the requirement to be reported by financial institutions pursuant to FATCA. An entity will usually know whether it can be excluded according to specific requirements of the IRS and United States tax legislation (U.S. Internal Revenue Code). If you are uncertain whether the entity has this specific status, please visit [www.irs.gov](http://www.irs.gov) for more information or consult a tax adviser. The following are not Specified US persons: -

- a) A publicly traded corporation or member of its expanded affiliated group;
- b) The U.S., any states of the U.S., U.S. Territory, political subdivision of any of foregoing or any wholly owned agency or instrumentality thereof;
- c) Organisation exempt from tax under Section 501(a) or an individual retirement plan;
- d) Banks;
- e) Real estate investment trusts;
- f) Regulated investment company or entity registered with the U.S. Securities and Exchange Commission;
- g) Common trust fund or trust exempt from tax;
- h) A U.S. registered dealer in securities, commodities or derivatives;
- i) A broker; or
- j) Tax-exempt trust under a plan.

**Taxpayer Identification Number (TIN)**

A TIN or tax reference number is a unique number used by the tax authorities to identify a person or business in the tax system for the purpose of tax administration. For example, Income Tax Number is used by Malaysian entities to file tax returns with Inland Revenue Board of Malaysia.

**US Person means**

- a) A US citizen or resident individual,
- b) A partnership or corporation organized in the US or under the laws of the US or any state of the US,
- c) A trust if (i) a court within the US would have authority under applicable law to render orders or judgments concerning substantially all issues regarding administration of trust, and (ii) 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; as interpreted in accordance with the US Internal Revenue Code.

**U.S. TIN (U.S. Taxpayer Identification Number)**

The 'Taxpayer Identification Number' (TIN), which is also known as 'U.S. federal taxpayer identification number', is used by the IRS as an identification number for tax administration. This number can be requested via [www.irs.gov](http://www.irs.gov).

- a) For residents and citizens of the United States this number is the 'Social Security Number' (SSN). You can request a social security number via IRS form SS-5 or [www.irs.gov](http://www.irs.gov).
- b) Non-U.S. individuals who are United States taxpayers can request an 'Individual Tax Identification Number' (ITIN) via IRS form W-7 or [www.irs.gov](http://www.irs.gov).
- c) For organizations and employers the U.S. TIN is the Employer Identification Number (EIN). This number may be requested via IRS form SS-4 or [www.irs.gov](http://www.irs.gov).

More information is available about identification numbers and the process to request these numbers on [www.irs.gov](http://www.irs.gov).

**For Bank Use Only**
**For Branches/Business Unit Use Only**

FATCA cure documents enclosed:-

Please state: \_\_\_\_\_

FATCA Identification Status :  Complete       Pending

Attended/Processed By

Name:

Lan ID:

Staff ID:

Signature/Date

Signature Verified by (For Thumbprint-Witnessed by):

Name:

Lan ID:

Staff ID:

Signature/Date