

Foreign tax residence declaration – entity

Information sheet

When to use this form

Use this form to confirm:

- an entity's Foreign Account Tax Compliance Act (FATCA) status
- an entity's Common Reporting Standard (CRS) status
- whether the entity or any of its controlling persons are foreign tax residents.

! An 'entity' includes a company, trust, partnership, association, registered co-operative, or government body.

Important information

As a financial institution, we (Resolution Life) are not allowed to give tax advice.

You can contact your tax adviser who may be able to help you answer specific questions in this form.

The Australian Taxation Office (ATO) can also provide you with guidance on how to determine your tax status.

We've provided this **information sheet** to help you complete the **attached** form. It's not intended to be or provide financial, tax or legal advice.

Foreign tax residence terms

! We've taken the following terms from the Financial Services Council (FSC) at [fsc.org.au/resources/guidance-notes/](https://www.fsc.org.au/resources/guidance-notes/) For more details see Guidance Note No. 24 — AML/CTF & FATCA FORMS (FSC/FPA).

Financial Institution (FI)

A financial institution is an entity (eg company, partnership or trust) that engages in one of the following:

- accepts deposits in the ordinary course of a banking or similar business (depository institution);
- holds as a substantial portion of its business (equals or exceeds 20 per cent of the entity's gross income) financial assets for the account of others (custodial institution);

- is an investment entity including entities that trade in financial assets or that are investing, administering, managing funds, money, or certain financial assets on behalf of other persons;
- is an insurance company; or
- is an entity that is a holding company or treasury centre that is a part of a group that includes one of the above.

Global Intermediary Identification Number (GIIN)

A Global Intermediary Identification Number (GIIN) is a unique ID number that non-US financial institutions receive from the Internal Revenue Service (IRS) when they register as a financial institution for FATCA.

FATCA status

Where a financial institution does not have a GIIN they will need to provide their FATCA status. This status can only be one of the following:

- Non reporting Intergovernmental agreement (IGA) FI (listed in Annex II of an IGA).
- Deemed compliant FI.
- Excepted FI.
- Exempt beneficial owner.
- Non participating FI.
- GIIN applied for but not yet issued.
- US Financial Institution Entities that are financial institutions should be aware of their FATCA status and it is not the financial adviser's responsibility to determine this.

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 following activities or operations: trading in money market instruments; foreign exchange; exchange, interest rate and index instruments; transferrable securities; or commodity futures trading.

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 an investment entity that performs the above trading functions, if any of the managing entities is such an entity.

Public listed company

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.

Regularly traded—Meaningful volume of trading with respect to the stock on an ongoing basis.

Established Securities Market—An exchange that is officially recognised and supervised by a governmental authority in which the market is located and that has a meaningful annual value of shares traded on the exchange.

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.

Governmental Entity

The government of a jurisdiction, any political subdivision of a jurisdiction (including a state, province, county, or municipality), or any wholly owned agency or instrumentality of a jurisdiction or of any one or more of the foregoing.

International Organisation

Any international organisation or wholly owned agency or instrumentality thereof. This includes any intergovernmental organisation (including a supranational organisation):

- that is comprised primarily of governments
- that has in effect a headquarters or substantially similar agreement with the jurisdiction, and
- the income of which does not inure to the benefit of private persons.

Central Bank

An institution that is by law or government sanction the principal authority, other than the government of the jurisdiction itself, issuing instruments intended to circulate as currency. Such an institution may include an instrumentality that is separate from the government of the jurisdiction, whether or not owned in whole or in part by the jurisdiction.

Charity

An NFE that meets all of the following criteria:

- 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.
- It is exempt from income tax in its jurisdiction of residence.
- It has no shareholders or members who have a proprietary or beneficial interest in its income or assets.
- 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.
- 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.

Active NFE

An NFE that meets any one of the following definitions:

- 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.
- 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.
- A charity.

Non-Financial Entity (NFE)

An NFE means any entity that is not a financial institution. An NFE may be an active NFE or a passive NFE.

Passive NFE

A passive NFE means any NFE that is not an active NFE.

Controlling Persons

A controlling person is any natural persons who exercise control over an entity. 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.

Settlor

Settlors are natural or legal persons who transfer ownership of their assets to trustees by means of a trust deed or similar arrangement.

Tax resident

Tax residency rules differ by country. Whether an individual is tax resident of a particular country is often (but not always) based on the amount of time a person spends in a country, the location of a person's residence or place of work. For the US, tax residency can be as a result of citizenship or residency.

If a client thinks they may be a foreign tax resident, but is not certain, it is advisable that they seek specialist tax advice.

Taxpayer Identification Number (TIN)

A TIN is the number assigned by each country for the purposes of administering tax laws. This is the equivalent of a tax file number (TFN) in Australia or an employer identification number (EIN) in the US. Some jurisdictions use a functional equivalent, for example, the social security number in the US.

Note: The fact an individual or entity has a foreign TIN does not automatically make them a foreign tax resident. The OECD has published information on the usage and structure of the TINs on their automatic exchange portal.

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Please keep this information sheet for your records—
don't return it with your completed form(s).

Foreign tax residence declaration – entity

Use this form to confirm:

- an entity’s Foreign Account Tax Compliance Act (FATCA) status
- an entity’s Common Reporting Standard (CRS) status
- whether the entity or any of its controlling persons are foreign tax residents.

! An ‘entity’ includes a company, trust, partnership, association, registered co-operative, or government body.

Please print in CAPITAL LETTERS and place a cross in any applicable boxes.

1. Entity details

Please provide the plan/policy/member/account number for products you hold with Resolution Life or any other reference number:

Entity name

Australian Company Number (ACN)/other registration number

Registered address or principal place of business (a PO Box address is not acceptable)

Suburb

State

Postcode

Country

Contact phone number

Mobile number

Email address

By providing your email address, you consent to receiving all future communications, including information about products and services offered by Resolution Life, to the above email address.*

2. Entity tax residency details

Please select **one** of the following to indicate the entity type:

Financial institution—provide details further below.

Note: For FATCA/CRS purposes a financial institution includes custodial or depository institution, an investment entity, a specified insurance company.

Publicly listed company, majority owned subsidiary of a publicly listed company, superannuation fund, government entity, international organisation, central bank, Australian registered charity, or deceased estate. Go to sections **5** and **6**.

2. Entity tax residency details (continued)

- Foreign charity or an active Non-Financial Entity (NFE)
- An active NFE is an NFE that derived less than 50% of its gross income from passive income (eg dividends, interest, and royalties) and less than 50% of the assets held to produce the passive income during the previous reporting period.
 - Refer to the **oecd.org** website for details on other active NFE categories.

Go to sections **4**, **5** and **6**.

Other—go to sections **3**, **4**, **5** and **6**.

Financial institution details

Please provide the entity US Global Intermediary Identification Number (GIIN), if applicable:

If the financial institution doesn’t have a GIIN, please provide the entity’s FATCA status (cross **one** only):

- Deemed compliant financial institution
- Excepted financial institution
- Exempt beneficial owner
- Non-reporting IGA¹ financial institution. If the financial institution is a Trustee-Documented Trust, provide the Trustee’s GIIN:

¹ An IGA is an Intergovernmental agreement.

- Non-participating financial institution
- United States (US) financial institution
- Other—describe the FATCA status below:

Is the financial institution an Investment Entity located in a non-participating CRS jurisdiction and, managed by another financial institution?

Note: Refer to the Organization for Economic Cooperation and Development (OECD) website at **oecd.org** for the list of participating CRS jurisdictions.

- Yes—go to sections **3**, **4**, **5** and **6**.
- No—go to sections **5** and **6**.

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Resolution Life Australasia Limited ABN 84 079 300 379

* We may use or disclose your personal information to contact you for purposes relating to the administration, operation and management of your policies with us. We may also send you information about products and services offered by Resolution Life. You may opt out of receiving direct electronic marketing communications from us at any time.

3. Foreign controlling person's details

A controlling person is any individual who directly or indirectly exercises control over the entity.

For a:

- company, this includes any beneficial owners controlling 25% or more of the shares in the company.
- trust, this includes trustees, settlors and beneficiaries.
- partnership, this includes any partners.

Does the entity have any controlling persons who are tax residents of countries other than Australia?

Yes—provide individual details below (where applicable): No—go section 4.

Controlling person 1 details:

Full name Title Date of birth

Residential address (a PO Box address is not acceptable)

Suburb State Postcode Country

What is the controlling person type (select **one** only)?

Entity: Legal person

Control by ownership Control by other means

Entity: Legal arrangement—trust

Settlor Trustee Beneficiary Other

	Country of foreign tax residency	Taxpayer Identification Number (TIN) ²	No TIN ³ (cross one only)
1	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
2	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
3	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
4	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C

² A TIN (or equivalent) is an identifying number used for tax purposes which is normally issued by the local tax authority in a country (eg in Australia the ATO issues a Tax File Number (TFN)).

³ If you can't provide a TIN (or equivalent) please refer to the **No TIN reason** table and cross the relevant reason above (ie A, B or C).

Note: We'll contact you to obtain an explanation as to why you can't provide a TIN (or equivalent).

No TIN reason:

A	The country of tax residence doesn't issue a TIN.
B	The country of tax residence issues a TIN but I currently can't provide it.
C	The country of tax residence doesn't require my TIN to be disclosed.

3. Foreign controlling person's details (continued)

Controlling person **2** details:

Full name Title Date of birth

Residential address (a PO Box address is not acceptable)

Suburb State Postcode Country

What is the controlling person type (select **one** only)?

Entity: Legal person

Control by ownership Control by other means

Entity: Legal arrangement—trust

Settlor Trustee Beneficiary Other

	Country of foreign tax residency	Taxpayer Identification Number (TIN) ²	No TIN ³ (cross one only)
1	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
2	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
3	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
4	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C

Controlling person **3** details:

Full name Title Date of birth

Residential address (a PO Box address is not acceptable)

Suburb State Postcode Country

What is the controlling person type (select **one** only)?

Entity: Legal person

Control by ownership Control by other means

Entity: Legal arrangement—trust

Settlor Trustee Beneficiary Other

	Country of foreign tax residency	Taxpayer Identification Number (TIN) ²	No TIN ³ (cross one only)
1	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
2	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
3	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
4	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C

3. Foreign controlling person's details (continued)

Controlling person 4 details:

Full name Title Date of birth

Residential address (a PO Box address is not acceptable)

Suburb State Postcode Country

What is the controlling person type (select **one** only)?

Entity: Legal person

Control by ownership Control by other means

Entity: Legal arrangement—trust

Settlor Trustee Beneficiary Other

	Country of foreign tax residency	Taxpayer Identification Number (TIN) ²	No TIN ³ (cross one only)
1	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
2	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
3	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
4	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C

4. Country of foreign tax residency details

Is the entity a tax resident of a country other than Australia?

Yes—provide details below (list if more than one country is applicable): No—go to section 5.

Note: Refer to the ATO website at ato.gov.au for residency test calculators to help you determine your tax residency.

	Country of foreign tax residency	Taxpayer Identification Number (TIN) ⁴	No TIN ⁵ (cross one only)
1	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
2	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
3	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C
4	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C

⁴ A TIN (or equivalent) is an identifying number used for tax purposes which is normally issued by the local tax authority in a country (eg in Australia the ATO issues a Tax File Number (TFN)).

⁵ If you can't provide a TIN (or equivalent) please refer to the **No TIN reason** table and cross the relevant reason above (ie A, B or C).

Note: We'll contact you to obtain an explanation as to why you can't provide a TIN (or equivalent).

No TIN reason:

A	The country of my tax residence doesn't issue a TIN.
B	The country of my tax residence issues a TIN but I currently can't provide it.
C	The country of my tax residence doesn't require my TIN to be disclosed.

5. Declaration

This form must be signed by an authorised representative of the entity (eg director/trustee etc) or their financial adviser.

Entity declaration

By completing and signing this declaration, I certify that the information I have provided is true and correct.

I agree to notify Resolution Life when the tax residency of the entity or any of its beneficial owners or controlling persons changes.

Representative name (Print in CAPITAL LETTERS)

Capacity (eg director/trustee etc)

Signature

Date

Financial adviser declaration

By completing and signing this declaration, I certify that the individual named in this form has (verbally or in writing) confirmed (to me) the truth of the information provided and I have no reason to doubt its reasonableness.

AFS Licensee name (Print in CAPITAL LETTERS)

AFSL number

Representative/Employee name

Contact phone number

Mobile number

Signature

Date

6. Checklist

- Have you completed all relevant sections of this form?
- Have you signed and dated the form where indicated?

Where to send this form

Mail or email this completed form to:

askus@resolutionlife.com.au

Within Australia (no stamp required)

Resolution Life Customer Service
Reply Paid 90618
Sydney NSW 2001

Any questions?
133 731

From Overseas

Resolution Life Customer Service
GPO Box 5441
Sydney NSW 2001

Any questions?
+61 2 7202 0216

Office use only

Internal reference number