

Bank of Ceylon

Non Financial Foreign Entity (NFFE) Self Certification Form for FATCA

The United States Government has implemented the Foreign Account Tax Compliance Act (FACTA) and Bank of Ceylon (BOC) has agreed to ensure its compliance whenever BOC operates. BOC is required to collect information in relation to an entity's tax residency and classification under the FATCA. In certain circumstances (including we do not receive this information from you), we are obliged to share information on your account with local and / or US Tax Authorities. Please complete all relevant sections below as per your entity status. If you are not sure how to complete this Self-Certification Form, please contact your tax or legal advisor. The accompanying glossary overleaf contains key definitions.

I/we certify that the entity is not a financial institution

Section 1	Entity type
-----------	-------------

Please select any of the following Entity Type:

Unlisted public ltd <input type="checkbox"/>	Listed public ltd <input type="checkbox"/>	Public Sector Cooperation/Autonomous Bodies <input type="checkbox"/>
Partnership firm <input type="checkbox"/>	Private Multinational Co. <input type="checkbox"/>	Club/Association/Trust/NGO/NPO <input type="checkbox"/>
Public Multinational Co. <input type="checkbox"/>	Private Ltd Co. <input type="checkbox"/>	

Section 2 Entity Identification Details

Entity's Name	Country of Incorporation	
Permanent Address	Country	Post Code
Mailing Address (If different from above)	Country	Post Code
	Nature of Business / Source of Income	

Section 3 Declaration of Tax Residency (for Non US Entity)

Please indicate the Entity's place of Tax Residence (if resident in more than one country, detail all countries of Tax Residence and associated tax identification numbers)

Country of residence	National Tax No/ Tax Identification No (NTN/TIN)	If no NTN/TIN available then provide explanation

I/We certify that the Entity is not Tax Resident of any other country besides listed above.

Section 4 Entity FACTA Classification (Non Financial Foreign Entities-NFFEs)

Please select any one of the following Entity Classification:

Active NFFE	<input type="checkbox"/>	
Passive NFFE with US Substantial Business Owner (SBO) holding more than 10% shares in the entity business	<input type="checkbox"/>	Please submit IRS form W-8BEN-E
Passive NFFE with no US Substantial (SBO)	<input type="checkbox"/>	
Direct Reporting NFFE	<input type="checkbox"/>	Please submit IRS form W-8BEN-E/W-8WMY
Sponsored Direct Reporting NFFE	<input type="checkbox"/>	Please submit IRS form W-8BEN-E/W-8WMY
Excepted Territory NFFE	<input type="checkbox"/>	
Publicly Traded NFFE or NFFE affiliate of a publicly Traded Corporation <i>Please state the name of the Exchange on which the company is listed:</i>	<input type="checkbox"/>	
Non Profit Organization	<input type="checkbox"/>	

501© Organization	<input type="checkbox"/>	
Non Financial Group Entity	<input type="checkbox"/>	
Excepted Non Financial Start-up Company	<input type="checkbox"/>	
Excepted Non Financial Entity in liquidation or bankruptcy	<input type="checkbox"/>	

Section 5	US Entity (To be filled out by US Entity Only)		
US Person	US TIN/EIN		Please submit IRS Form W-9
Specified US Person	US TIN/EIN		Please submit IRS Form W-9

Section 6	Declarations and Undertakings
------------------	--------------------------------------

I/We declare (as an authorized signatory of the entity) that the information provided on this form is, to the best of my/our knowledge and belief it is true, correct and complete. I/We agree and undertake that if there is any change in any information which I/We have provided in this form, I/We shall submit a new form within thirty (30) calendar days.

<p>_____</p> <p>Authorized Signature</p> <p>_____</p> <p>Capacity in which the declaration is made</p> <p>_____</p> <p>Date: (dd/mm/yyyy)</p>	<p>_____</p> <p>Authorized Signature</p> <p>_____</p> <p>Capacity in which the declaration is made</p>
---	--

Section 7	For Bank Use Only		
Branch Name		Account No	
Branch Code		Branch Official's Signature with PA No.	
Branch Official's Signature with PA No.			

Entity
An Entity is anyone who is not a natural person
US Person/ Entity
According to law in US law paragraph (30), a United States Person A citizen or resident, of the United States A domestic partnership Any estate (other than a foreign estate, within the meaning of paragraph 931*) Any trust if; i) A court within the United States is able to exercise primary supervision over the administration of the trust ii) One or more United States person has the authority to control all substantial decisions of the trust (31*) Foreign estate or trust Foreign Estate The term 'Foreign Estate' means an estate the income which, from sources without the United States which is not effectively connected with the conduct of a trade or business within the United States, is not includible in gross income under subtitle A Foreign Trust The term 'Foreign Trust' means any trust other than a trust described in subparagraph (e) of paragraph (30).
Specified US Person
According to US law paragraph (3), the Specified United States person,; Except as otherwise provided by the secretary, the term 'Specified United States person' means any United States person other than: Any corporation the stock of which is regularly traded on an expanded affiliated group (as defined in section 1471 (e) (2) without regard to the last sentence thereof) as corporation the stock of which is regularly traded on an established securities market. Any organization exempt from taxation under 501(a) or an individual retirement plan The United States or any wholly owned agency or instrumentality thereof Any State, the District of Columbia, any possession of the United States, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality of any one or more of the foregoing Any bank (as defined in section 581) Any real estate investments trust (as defined in section 856) Any regulated investment company (as defined in section 851) Any common trust fund (as defined in section 584 (a)) Any trust which: i) Is exempt from tax under section 664 (c) ii) Is described in section 4947 (a)(1)
Non Financial Foreign Entity (NFFE)
All Non US entities that are not FFI are to be classified as either an excepted Non-Financial Foreign Entity (NFFE) or a passive NFFE.
Active NFFE
iv) Active NFFEs. A NFFE is described in this paragraph (c)(1)(iv) if it is an entity (an active NFFE) and less than 50 percent of its gross income for the preceding taxable year (i.e. calendar or fiscal) is passive income and less than 50 percent of the weighted average percentage of assets (tested quarterly) held by it are assets that produce or are held for the production of passive income, as determined after the application of paragraph (c)(1)(iv)(B) of this section (passive assets)
Passive NFFE
Passive NFFEs are defined as all NFFEs that are not accepted. The regulations require a US withholding agent to withhold 30% on withhold able payments to a passive NFFE unless the Passive NFFE can provide the withholding agent with the name, address, US taxpayer identification number of each substantial US owner of the NFFE, or a certification that the Passive NFFE is an excepted NFFE as defined above.
Substantial Business Owner (SBO)
Substantial United States owner a) In General The term 'Substantial United States Owner' means i) With respect to any corporation, any specified United States person which owns, directly or indirectly, more than 10% of the stock of such corporation (by vote or value) ii) With respect to any partnership, any specified United States person which owns, directly or indirectly, more than 10% of the profits interests or capital interests in such partnership, iii) In the case of trust b) Special rule for Investment vehicles In the case of any financial institution described in section 1471 (d)(5)©, clauses (i),(ii) and (iii) of subparagraph (a) shall be applied by substituting '0 percent' for '10 percent'
Direct Reporting NFFE
Any NFFE which is a direct reporting NFFE that elects to report information about its direct or indirect substantial US owners directly to the IRS and must register itself with IRS and obtain a GIIN.
Sponsored Direct Reporting NFFE
Any NFFE which is sponsored direct reporting NFFE is a direct reporting NFFE and if other entity, other than nonparticipating FFI, has agreed with the NFFE to act as a sponsoring entity. The sponsoring entity must be authorized to act on behalf of the sponsored NFFE, register with the IRS as a sponsoring entity, obtain a CIIN, and agree to comply with all such requirements of a direct reporting NFFE on behalf of the sponsored NFFE.
Excepted Territory NFFE
Any NFFE which is directly or indirectly wholly owned by one or more bona fide residents of the US territory under the laws of which the entity is organized, this type of NFFE: a. Does not accept deposits in the ordinary course of a banking or similar business b. Does not hold, as a substantial portion of its business, financial assets for the account of others c. 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 d. All of the owners of the entity identified are bona fide residents of the possession in which the NFFE is organized or incorporated
Publicly Traded NFFE or NFFE Affiliated of a Publicly Traded Corporation
Any NFFE the shares of which are regularly traded on one or more established securities market for the calendar year. For example, an entity is listed on any of the stock markets of Pakistan (KSE/LSE/ISE) or any other international stock exchanges. A NFFE Affiliates with a Publicly Traded Corporation that is a member of the same expended affiliated group of a Publicly Traded NFFE.
Non Profit Organization
Any NFFE that has been established for religious, charitable, scientific, artistic, cultural, or educational purposes and exempt from income tax in its country of residence and all funds used for charitable purposes and not personal gain of member or a private person. The entity has no shareholders or members who have proprietary or beneficial interests in its income or assets.
501© Organization
Any NFFE that has established for labor, agricultural, horticultural organizations, religious, educational, charitable, scientific, or literary organizations, business leagues, real estate boards, chamber of commerce and hold IRS confirmation of having section 501© organization
Non Financial Group Entity
A NFFE is described in this paragraph (c)(1)(v) if it is an entity described in 1.1471-5(e)(5) (referring to holding companies, treasury centers, and captive finance companies that are members of nonfinancial group: start-up companies: entities that are liquidating or emerging from bankruptcy; and non financial organizations)
Excepted Non Financial Start-up Company
Any NFFE investing capital in assets with the intent to operate a new business or line of business and it is not financial institution or a Passive NFFE. In case of a new line of business, the date of board resolution resolving the new line of business must be less than 24 months. It does not function as an investment fund, 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.
Excepted Non Financial Entity Liquidation or Bankruptcy
Any NFFE that was not a financial institution or passive NFFE at any time during the past 5 years and that is in the process of liquidating its assets or reorganizing with the intent to continue or recommence operations as a non financial entity. It 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 three years.
NOTE: THESE DEFINITIONS ARE FOR UNDERSTANDING PURPOSES ONLY, IF THE CUSTOMER FACES ANY DIFFICULTY THEN IT IS ADVISABLE TO APPROACH A LEGAL ADVISOR FOR GUIDANCE.

