



**FATCA – CRS DECLARATION
FOR NON-INDIVIDUAL ENTITIES**

For Office Use Only:

Cust. ID :

Account No.:

Customer Details

(Please mention NA wherever deem fit / Please add additional sheet wherever required in bank's format only)

Date / /

Name of Entity:

Residence Address for Tax Purpose (✓ Tick against one which is applicable)

Same as the address mentioned in Application Form provided for Bank Record	Type of the provided address (✓ Tick against one which is applicable)
<input type="checkbox"/> Mailing Address <input type="checkbox"/> Registered Address <input type="checkbox"/> Other (Provide detailed address below)	<input type="checkbox"/> Residential <input type="checkbox"/> Business <input type="checkbox"/> Registered Office

If Others provide your Residence Address for Tax Purpose in detail here

CITY									
STATE									
COUNTRY							PIN / ZIP		

For entities other than sole proprietor please fill Part B of this declaration on page 2

Part A: In case of Sole Proprietorship Entities

I was born in a country other than India No Yes¹

I am citizen / national / tax resident of any country outside India No Yes¹

1 If yes, for the above, please furnish details for section 1, 2 & 3:

Section 1: Details of the Proprietor

Name:

City of Birth:

Country of Birth:

Nationality:

Father's Name²:

²(If PAN Card is not provided as an identity document of the proprietor)

Section 2: Tax Residence Declaration

Please indicate ALL the country/countries in which the proprietor is a resident for tax purposes and the associated Tax ID Number below:

Country [*]	Tax Identification Number (TIN) [^]	Identification Type [^] (TIN or Other, please specify)

Section 3: Identification (document submitted as proof of identity of the individual; tick whichever is applicable)

Passport Voters ID Card PAN Card Govt. ID card Driving License Aadhaar Card NREGA Job Card Others, Please specify _____

Identification Number:

^{*} To also include USA, where the individual is a citizen or a Green Card holder of USA
[^] In case Tax Identification Number is not available, kindly provide functional equivalent. It is mandatory to supply a TIN or functional equivalent if the country in which you are tax resident issues such identifiers. If no TIN is yet available or has not yet been issued, please provide an explanation and attach this to the form.

I have understood the information requirements of this Form (read along with the Instructions) and hereby confirm that the information provided by me on this Form is true, correct and complete. In case of any changes, I will inform the Bank within 30 days. I also confirm that I have read and understood the Terms and Conditions and hereby

Part B: In case of Entities other than Sole Proprietorship (Section 1 & 2)

SECTION 1:

- If company is a publicly traded company, then please enter name(s) of the stock exchange(s) where it is listed: _____ AND/OR _____
- If the captioned entity is a related entity of a publicly traded company, then please enter name of the listed company: _____, and name(s) of stock exchange(s) where it is listed: _____

Nature of Relation: Subsidiary of listed company Controlled by a listed company

SECTION 2:

Particulars

- | | | | |
|---|--|------------------------------|-----------------------------|
| 1 | Does the entity have any income which is taxable outside India? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2 | Is the entity tax resident in any country/countries outside India? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3 | Are you a financial institution? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4 | Does the entity have any beneficiary ^A (direct or indirect) or controlling ^A person who is citizen / national / tax resident of or born in, any country outside India? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5 | Does the entity have a legal presence/incorporated outside India? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 6 | Is the entity a passive NFE ^F ? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

2 If **yes²** for any one of the above fields/particulars, separate FATCA/CRS Annexure to be filled up. Otherwise, Beneficial ownership details as per the constitution & bank's format, if applicable, to be provided.

I have understood the information requirements of this Form (read along with the FATCA-CRS Definitions) and hereby confirm that the information provided by me on this Form is true, correct, and complete. In case of any changes, I will inform the Bank within 30 days.

Name of the Authorized Signatory*

Signature of the Authorized Signatory*

* Authorized signatory means:

- (i) Company Secretary or Director or any person authorized as per the resolution of board to sign on any documents/declaration related to account opening
- (ii) Partner or designated partner or any person as authorized as per resolution/letter mentioned on Partnership/LLP declaration to sign on any documents/declaration related to account opening
- (iii) Chairperson or secretary or any person as authorized as per resolution/ declaration to sign on any documents/declaration related to TASC account opening
- (iv) Any person as authorized as per resolution/declaration/letter to sign on any documents/declaration related to account opening for other entities.

Suryoday Small Finance Bank has the discretion to reject the application of a/c opening in case it finds any discrepancy in above declaration either with internal or external sources.

Terms and Conditions

- The Central Board of Direct Taxes has notified Rules 114(F) to 114(H), as part of the Income-tax Rules, 1962, which require Indian financial institutions such as the Bank to seek additional personal, tax, and beneficial owner information and certain certifications and documentation from all our account holders. In relevant cases, information will have to be reported to tax authorities/ appointed agencies. We may also be required to provide information to any institutions such as withholding agents for the purpose of ensuring appropriate withholding from the account or any proceeds in relation thereto.
- Should there be any change in any information provided by you, please ensure you advise us promptly, i.e., within 30 days.
- Please note that you may receive more than one request for information if you have multiple relationships with Suryoday Small Finance Bank. Therefore, it is important that you respond to our request, even if you believe you have already supplied any previously requested information.

Instructions – Sole Proprietor

- If you have any questions about your tax residency, please contact your tax advisor. If you are a US citizen or resident or Green Card holder, please include United States in the foreign country information field along with your US Tax Identification Number.
- In case customer has the following indicia pertaining to a foreign country and yet declares self to be non-tax resident in the respective country, customer to provide relevant Curing Documents as mentioned below:

FATCA/ CRS indicia observed (ticked)	Documentation required for Cure of FATCA/ CRS indicia
U.S. place of birth	1. Self-certification that the account holder is neither a citizen of United States of America nor a resident for tax purposes; 2. Non-US passport or any non-US government issued document evidencing nationality or citizenship (refer list below); AND 3. Any one of the following documents: a. Certified Copy of "Certificate of Loss of Nationality or b. Reasonable explanation of why the customer does not have such a certificate despite renouncing US citizenship; or Reason the customer did not obtain U.S. citizenship at birth
Residence/mailing address in a country other than India	1. Self-certification that the account holder is neither a citizen of United States of America nor a tax resident of any country other than India; and 2. Documentary evidence (refer list below)
Telephone number in a country other than India	If no Indian telephone number is provided 1. Self-certification that the account holder is neither a citizen of United States of America nor a tax resident of any country other than India; and 2. Documentary evidence (refer list below) If Indian telephone number is provided along with a foreign country telephone number 1. Self-certification that the account holder is neither a citizen of United States of America nor a tax resident for tax purposes of any country other than India; OR 2. Documentary evidence (refer list below)
Standing instructions to transfer funds to an account maintained in a country other than India (other than depository accounts)	1. Self-certification that the account holder is neither a citizen of United States of America nor a tax resident of any country other than India; and 2. Documentary evidence (refer list below)

List of acceptable documentary evidence needed to establish the residence(s) for tax purposes:

- Certificate of residence issued by an authorized government body*
- Valid identification issued by an authorized government body* (e.g. Passport, National Identity card, etc.)

* Government or agency thereof or a municipality of the country or territory in which the person claims to be a resident

A. Explanation on who is a Beneficiary Owner or Controlling Person:

Rule 9 (1a) of the Prevention of Money Laundering Rules, 2005 requires that every banking company, and financial institution, as the case may be, shall identify the beneficial owner and take all reasonable steps to verify his identity.

The beneficial owner for the purpose determined as under—

(a) where the client is a company, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means. Explanation.—For the purpose of this sub-clause—

1. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;
2. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;

(b) where the client is a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of/entitlement to more than fifteen per cent. of capital or profits of the partnership;

(c) where the client is an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen per cent. of the property or capital or profits of such association or body of individuals;

(d) where no natural person is identified under (a) or (b) or (c) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;

(e) where the client is a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen per cent. or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership; and

(f) where the client or the owner of the controlling interest is a company listed on a stock exchange, or is a subsidiary of such a company, it is not necessary to identify and verify the identity of any shareholder or beneficial owner of such companies.

B. Financial Institution (FI)- The term FI means any financial institution that is a Depository Institution, Custodial Institution, Investment Entity or Specified Insurance company, as defined.

B.1 Depository institution: is an entity that accepts deposits in the ordinary course of banking or similar business.

B.2 Custodial institution is an entity that holds as a substantial portion of its business, holds financial assets for the account of others and where its income attributable to holding financial assets and related financial services equals or exceeds 20 percent of the entity's gross income during the shorter of-

- (i) The three financial years preceding the year in which determination is made; or
- (ii) The period during which the entity has been in existence, whichever is less.

B.3 Investment entity is any entity:

B.3.a That primarily conducts a business or operates for or on behalf of a customer for any of the following activities or operations for or on behalf of a customer

- (i) Trading in money market instruments (cheques, bills, certificates of deposit, derivatives, etc.); foreign exchange; exchange, interest rate and index instruments; transferable securities; or commodity futures trading; or
- (ii) Individual and collective portfolio management; or
- (iii) Investing, administering or managing funds, money or financial asset or money on behalf of other persons;

or

B.3.b The gross income of which is primarily attributable to investing, reinvesting, or trading in financial assets, if the entity is managed by another entity that is a depository institution, a custodial institution, a specified insurance company, or an investment entity described above (B.3.a).

Explanation 1:

An entity is treated as primarily conducting as a business one or more of the 3 activities described above in B.3.a, or an entity's gross income is primarily attributable to investing, reinvesting, or trading in financial assets of the entity's gross income attributable to the relevant activities (B.3.b) equals or exceeds 50 percent of the entity's gross income during the shorter of:

- (i) the three-year period ending on 31 March of the year preceding the year in which the determination is made; or
- (ii) the period during which the entity has been in existence.

Explanation 2:

The term "Investment Entity" does not include an entity that is an active non-financial entity as per codes 03, 04, 05 and 06 under C.c

B.4 Specified Insurance Company: Entity that is an insurance company (or the holding company of an insurance company) that issues, or is obligated to make payments with respect to, a Cash Value Insurance Contract or an Annuity Contract

C. Non-financial entity (NFE) -Any entity that is not a financial institution

Types of NFEs that are regarded as excluded NFE are:

- a. **Publicly traded company (listed company)**
A company is publicly traded if its stock are regularly traded on one or more established securities markets
(Established securities market means an exchange that is officially recognized and supervised by a governmental authority in which the securities market is located and that has a meaningful annual value of shares traded on the exchange)
- b. **Related entity of a publicly traded company**
The NFE is a related entity of an entity of which is regularly traded on an established securities market;
- c. **Active NFE :** (is any one of the following including C.a and C.b):

Code	Sub-category
1	Less than 50 percent of the NFE's gross income for the preceding financial year is passive income and less than 50 percent of the assets held by the NFE during the preceding financial year are assets that produce or are held for the production of passive income;
2	The NFE is a Governmental Entity, an International Organization, a Central Bank ; or an entity wholly owned by one or more of the foregoing;
3	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 shall not qualify for this status if the entity functions 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;
4	The NFE is not yet operating a business and has no prior operating history, but is investing capital into assets with the intent to operate a business other than that of a Financial Institution, provided that the NFE shall not qualify for this exception after the date that is 24 months after the date of the initial organization of the NFE;
5	The NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganizing with the intent to continue or recommence operations in a business other than that of a Financial Institution;
6	The NFE primarily engages in financing and hedging transactions with, or for, Related Entities that are not Financial Institutions, and does not provide financing or hedging services to any Entity that is not a Related Entity, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution;

7	<p>Any NFE that fulfills all of the following requirements:</p> <ul style="list-style-type: none"> • It is established and operated in India exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in India and it is a professional organization, business league, chamber of commerce, labor organization, agricultural or horticultural organization, civic league or an organization operated exclusively for the promotion of social welfare; • It is exempt from income tax in India; • 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 country or territory 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; and <p>The applicable laws of the NFE's country or territory 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 organization, or escheat to the government of the NFE's country or territory of residence or any political subdivision thereof.</p> <p><i>Explanation.</i>- For the purpose of this sub-clause, the following shall be treated as fulfilling the criteria provided in the said sub-clause, namely:- (I) an Investor Protection Fund referred to in clause (23EA); (II) a Credit Guarantee Fund Trust for Small Industries referred to in clause 23EB; and (III) an Investor Protection Fund referred to in clause (23EC), of section 10 of the Act;</p>
---	--

D. 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 votes and value in an entity.

E. Passive NFE

The term passive NFE means

- (i) any non-financial entity which is not an active non-financial entity including a publicly traded corporation or related entity of a publicly traded company; or
- (ii) an investment entity defined in clause (B.3.b) of these instructions
- (iii) a withholding foreign partnership or withholding foreign trust;

(Note: Foreign persons having controlling interest in a passive NFE are liable to be reported for tax information compliance purposes)

F. Passive income

The term passive income includes income by way of:

- a. Dividends,
- b. Interest
- c. Income equivalent to interest,
- d. Rents and royalties, other than rents and royalties derived in the active conduct of a business conducted, at least in part, by employees of the NFE
- e. Annuities
- f. The excess of gains over losses from the sale or exchange of financial assets that gives rise to passive income
- g. The excess of gains over losses from transactions (including futures, forwards, options and similar transactions) in any financial assets,
- h. The excess of foreign currency gains over foreign currency losses
- i. Net income from swaps
- j. Amounts received under cash value insurance contracts

But passive income will not include, in case of a non-financial entity that regularly acts as a dealer in financial assets, any income from any transaction entered into in the ordinary course of such dealer's business as such a dealer.