

# Tax Residency Self-Certification

Rabobank Online Savings (Australia)

Under the Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS), Rabobank is required to collect certain information about the tax residency of our account holders and report it to the Australian Taxation Office (ATO).

Please complete this Self-Certification so that we hold accurate and current information about your tax residency status. You must, at all times you hold an account with us, promptly notify us of any change in circumstances that makes the information in this Self-Certification incorrect or incomplete, and provide an updated Self-Certification.

If you require assistance to determine your tax residency status, please consult a tax advisor.

## More information on FATCA and CRS:

ATO enabling Legislation :

<https://www.ato.gov.au/General/International-tax-agreements/In-detail/Common-Reporting-Standard/>

How the automatic exchange of information affects you :

<https://www.ato.gov.au/Individuals/International-tax-for-individuals/In-detail/Foreign-residents-reporting/Foreign-tax-resident-reporting/>

## Section A Customer Type

Personal (including Joint and Sole Trader)  Non-Personal (including Partnership, Business and Trust)

Is this a Joint Account?  Yes  No

Account name

### Account Owner 1

Customer name

Residential/Registered Address

Suburb/Town

State

Postcode

Country

    

### Account Owner 2

Customer name

Residential/Registered Address

Suburb/Town

State

Postcode

Country

    

## Section B Personal details

### Account Owner 1

Is the Individual/Sole Trader a U.S. citizen, or tax resident of any country other than Australia?

Yes (Please provide Tax Identification Number or equivalent and Go to Section G - Declaration)

No (Go to Section G - Declaration)

1. Country  Tax Identification Number or equivalent

2. Country  Tax Identification Number or equivalent

3.	Country <input type="text"/>	Tax Identification Number or equivalent <input type="text"/>
4.	Country <input type="text"/>	Tax Identification Number or equivalent <input type="text"/>
5.	Country <input type="text"/>	Tax Identification Number or equivalent <input type="text"/>

**Account Owner 2**

**Is the Individual/Sole Trader a U.S. citizen, or tax resident of any country other than Australia?**

- Yes (Please provide Tax Identification Number or equivalent and Go to Section G - Declaration)
- No (Go to Section G - Declaration)

1.	Country <input type="text"/>	Tax Identification Number or <input type="text"/>
2.	Country <input type="text"/>	Tax Identification Number or <input type="text"/>
3.	Country <input type="text"/>	Tax Identification Number or <input type="text"/>
4.	Country <input type="text"/>	Tax Identification Number or <input type="text"/>
5.	Country <input type="text"/>	Tax Identification Number or <input type="text"/>

**Section F Privacy Notice and Acknowledgement**

By executing this form you acknowledge that Rabobank ('We', 'Our') will collect, use, hold, and disclose your personal data provided in this form, and at any time during our relationship with you, for purposes reasonably necessary for one or more of our functions or activities. We process your personal data in this way so that we may enter into an agreement with you and perform our agreement with you on an ongoing basis, and to comply with our legal obligations. For more information about your individual rights such as access to and correction of the personal data we hold and also about how you may complain to us or the Office of the Information Commissioner about a breach of your privacy and how we deal with such a complaint can be found on the privacy page on our website at [www.rabobank.com.au](http://www.rabobank.com.au).

**Section G Declaration**

*(To be signed by or on behalf of the Account Holder. Attorney: Where the Self-Certification is signed under a power of attorney, a certified copy of the original power of attorney must be attached.)*

- I certify that all the information provided in this form is true and complete to the best of my/our knowledge.
- I undertake to notify Rabobank within 30 days of any change in circumstances that makes any of the information supplied in this form inaccurate or incomplete.
- I acknowledge that Rabobank will collect, use and disclose information (including disclosing information to government authorities or agencies) that I have provided for the purpose of complying with applicable laws and regulations.
- I have obtained the consent of the individuals named in this form to provide their personal information on their behalf.
- I acknowledge that I may be subject to penalties under Australian tax laws for providing false or misleading information in relation to tax matters.
- I acknowledge that information provided about the Account Owner(s), Ultimate Beneficial Owner(s), Controlling Person(s) and any account(s) may be exchanged with the relevant tax authorities.
- I undertake to notify Rabobank within 30 days about any beneficiary that has received a distribution from the trust or intends to exercise vested rights, where:
  - o the Account Owner is a Passive NFE trust; and
  - o the beneficiary has not previously provided a self certification.

Signature

Full Name  Date

Signature

Full Name  Date

## Bank Use Only

### Operations

- CRS/FATCA information and classifications are reasonable considering the documentation and other information provided in accordance with CRS/FATCA validation checklist.
- TIN and financial details verified (if applicable)

Completed By

Date

Reviewed By

Date

## Appendix

### Note:

These selected summaries of defined terms are provided to assist you with the completion of this form. Further information can be found online by searching Common Reporting Standard for Automatic Exchange of Financial Account Information and Foreign Account Tax Compliance Act. Useful information can be found on the website of the Australia Australian Taxation Office.

If you have any particular questions then please contact your advisers.

### “Account Holder”

The person named as the holder of the account by the Financial Institution that maintains the account e.g.

- If a trust or an estate is listed as the holder or owner of a Financial Account, the trust or estate is the Account Holder, rather than the trustee or the trust's owners or beneficiaries
- If a partnership is listed as the holder or owner of a Financial Account, the partnership is the Account Holder, rather than the partners in the partnership
- A person, other than a Financial Institution, holding a Financial Account for the benefit or account of another person as agent, custodian, nominee, signatory, investment advisor, or intermediary, is not treated as holding the account, and such other person is treated as holding the account.

### “Active NFE”

Includes:

- any NFE where less than 50% of the NFE's gross income for the preceding year is passive income and less than 50% of the assets held by the NFE during the preceding year produce passive income; and
- the stock of which is regularly traded on an established securities market.

### “Controlling Persons” (also known as “Ultimate Beneficial Owners”)

“Controlling Persons” are the natural person(s) who exercise control over an entity. Where that entity is treated as a Passive Non-Financial Entity (“Passive NFE”) or a managed investment entity in a non-Participating Jurisdiction then a Financial Institution is required to collect details of all Controlling Persons to determine whether or not these Controlling Persons are Reportable Persons. This definition corresponds to the term “beneficial owner” described in Recommendation 10 and the Interpretative Note on Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012).

For companies, partnerships, associations, bodies corporate and any other legal persons, Controlling Person(s) means:

- (i) the natural person(s) who ultimately has a controlling ownership interest (generally 25% or more) in the Entity; OR
- (ii) where no natural person(s) exercise control through ownership interest, the natural person(s) who exercise control of the Entity through other means; OR
- (iii) where no natural person(s) is identified as exercising control of the entity through other means, the natural person(s) who are senior managing official(s) of the entity.

In the case of a trust, the Controlling Person(s) are the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiaries, or any other natural person(s) exercising ultimate effective control over the trust (including through a chain of control or ownership).

Under the CRS the settlor(s), the trustee(s), the protector(s) (if any), and the beneficiary(ies) or class(es) of beneficiaries, are always treated as Controlling Persons of a trust, regardless of whether or not any of them exercises control over the activities of the trust. However, a discretionary beneficiary (that does not otherwise control a trust) should be treated as a Controlling Person if they have received a distribution from the trust and a class beneficiary (that does not otherwise control a trust) should be treated as a Controlling Person if they have received a distribution from the trust or intends to exercise vested rights.

The trust or trustee should inform the Financial Institution if they make a distribution to such a beneficiary or when a beneficiary intends to exercise rights. Where a person connected to the trust (for example, the settlor, trustee, protector (if any), beneficiary(ies)) is an entity then you must also identify who the Controlling Persons of that connected entity. The Financial Institution may be required to report them as Controlling Persons of the trust.

Where the settlor(s) of a trust is an Entity then the CRS requires Financial Institutions to also identify the Controlling Persons of the settlor(s) and when required report them as Controlling Persons of the trust. In the case of a legal arrangement other than a trust, “Controlling Person(s) means persons in equivalent or similar positions.”

### “CRS”

The Common Reporting Standard for Automatic Exchange of Financial Account Information (which created a new information reporting and withholding regime for Financial Institutions in participating countries), as implemented in Australia.

### “Entity”

A legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation i.e. any person other than an individual (i.e. a natural person).

**“FATCA”**

U.S. legislation commonly known as the Foreign Account Tax Compliance Act (which created a new information reporting and withholding regime for non-U.S. Financial Institutions), as implemented in Australia.

**“Financial Account”**

An account with a Financial Institution.

**“Financial Institution”**

An Investment Entity and also a custodial institution, depository Institution and specified insurance company, as determined under CRS or FATCA.

**“GIIN”**

Global Intermediary Identification Number issued by the U.S. Inland Revenue Service.

**“Investment Entity”**

- An Entity that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:
- Trading in money market instruments, foreign exchange, interest rate and index instruments, transferable securities and commodity futures; or
- Individual and collective portfolio management; or
- Otherwise investing, administering or managing financial assets or money on behalf of other persons. Such activities or operations do not include rendering non-binding investment advice to a customer.
- Any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in financial assets where the Entity is managed by another Entity that is a depository institution, a custodial institution, a specified insurance company, or the above type of Investment Entity.

**“Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution”**

Any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in financial assets if the Entity is:

- an Investment Entity managed by a Financial Institution; and
- a Non-Participating Jurisdiction Financial Institution.

**“Investment Entity managed by another Financial Institution”**

An Investment Entity managed by an Entity that performs, either directly or through another service provider on behalf of the managed Entity, any of the activities or operations described in the first part of the definition of 'Investment Entity'. An Entity only manages another Entity if it has discretionary authority to manage the other Entity's assets.

**“NFE”**

Any Entity that is not a Financial Institution.

**“Non-Participating Jurisdiction”**

A jurisdiction which has not yet signed an agreement to automatically exchange financial account information using the Common Reporting Standard (CRS).

**“Participating Jurisdiction”**

A jurisdiction with which an agreement is in place under which it will provide the information required under CRS and that is identified in a published list.

**“Participating Jurisdiction Financial Institution”**

Any Financial Institution that is tax resident in a Participating Jurisdiction, but excludes any branch of that Financial Institution that is located outside of that Participating Jurisdiction and any branch of a Financial Institution that is not tax resident in a Participating Jurisdiction, if that branch is located in such Participating Jurisdiction.

**“Passive NFE”**

Any NFE that is not an Active NFE and includes an Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution.

**“Tax Identification Number/TIN”**

The taxpayer identification number in the relevant jurisdiction, being a unique combination of letters or numbers assigned by a jurisdiction to an individual or an Entity and used to identify the individual or Entity for the purposes of administering the tax laws of such jurisdiction. TIN includes a GIIN and an Employer Identification Number (EIN).

Some jurisdictions do not issue a TIN. However, these jurisdictions often utilise some other high integrity number with an equivalent level of identification (a “functional equivalent”). Examples of that type of number include, for Entities, a Business/company registration code/number.

**“Tax residency”**

The jurisdiction(s) in which the individual or Entity is resident for tax purposes, as determined under the rules for defining tax residence of the relevant jurisdiction(s). FATCA and CRS require Financial Institutions to collect and report information about tax residency.

Generally, an Entity will be resident for tax purposes in a jurisdiction if, under the laws of that jurisdiction (including tax conventions), it pays or should be paying tax in that jurisdiction by reason of his domicile, residence, place of management or incorporation, or any other criterion of a similar nature, and not only from sources in that jurisdiction. Dual resident Entities may rely on the tiebreaker rules contained in tax conventions (if applicable) to solve cases of double residence for determining their residence for tax purposes. An Entity such as a partnership or similar legal arrangement that has no residence for tax purposes is treated as resident in the jurisdiction in which its place of effective management is situated. For additional information on tax residence, please talk to your tax adviser.

**“U.S. Substantial Owner”**

A U.S. person that owns 10% or more by vote or value of the Entity.