

致： 大新銀行有限公司（「銀行」）
 To: Dah Sing Bank, Limited (the "Bank")

外國賬戶稅務合規法案及共同匯報標準的客戶聲明書（公司/機構）
Self-Certification Form (Entity) for FATCA & CRS

為配合由 2014 年 7 月 1 日起正式生效之美國《外國賬戶稅務合規法案》("FATCA")及在 2016 年 6 月 30 日刊憲並生效的《2016 年稅務(修訂)(第 3 號)條例》中的經濟合作與發展組織 ("OECD") 共同匯報標準 ("CRS") 的實施要求，本聲明適用於新開戶口申請人及戶口持有人(公司/機構)申報其是否為外國賬戶稅務合規法案中定義的美國人士及收集其稅務居民身分的若干所需資料。

To comply with the US Foreign Account Tax Compliance Act ("FATCA") which is effective starting 1 July 2014 and the Organisation for Economic Cooperation and Development ("OECD") Common Reporting Standard ("CRS") set out in the Inland Revenue (Amendment) (No. 3) Ordinance 2016 which is effective starting 30 June 2016, this certificate is to be used by new account applicant and account holder (Entity) to declare whether the person is a U.S. person under the "FATCA" enacted in the United States and collect the related information based on jurisdiction of tax residence.

(1) 請用正楷填寫 Please complete in Block letters (2) 請在適當空格內加上「✓」號 Please tick as appropriate

第一部分： 公司/機構資料 (所有資料必須填寫)
Section 1: Entity information (all fields are mandatory to be completed)

公司/機構名稱: Name of Entity: _____	註冊國家或組織成立國家: Country of incorporation or organization establishment: _____
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登記/註冊文件: Registration / Incorporation Document:	文件號碼: Document No.: _____
<input type="checkbox"/> 商業登記證 Business Registration Certificate <input type="checkbox"/> 公司註冊證 Certificate of Incorporation <input type="checkbox"/> 其他 Others _____	

登記地址 (如登記住址位於香港境外，請務必填寫國家):
 Registered Address (If the current registered address is outside Hong Kong, please fill in the country below):

室、樓層、大廈、街道、地區
 Suite, Floor, Building, Street, District _____

城市 _____ 國家 _____
 City _____ Country _____

現時營業地址 (如現時營業地址位於香港境外，請務必填寫國家):
 Current Business Address (If the current business address is outside Hong Kong, please fill in the country below):

(如與登記地址相同，毋須填寫)
(You do not need to provide the business address if it is the same as the registered address)

室、樓層、大廈、街道、地區
 Suite, Floor, Building, Street, District _____

城市 _____ 國家 _____
 City _____ Country _____

通訊地址 (如通訊地址位於香港境外，請務必填寫國家):
 Mailing Address (If the mailing address is outside Hong Kong, please fill in the country below):

(如與登記地址相同，毋須填寫)
(You do not need to provide the mailing address if it is the same as the registered address)

室、樓層、大廈、街道、地區
 Suite, Floor, Building, Street, District _____

城市 _____ 國家 _____
 City _____ Country _____

第二部分： 賬戶身份
Section 2: Certification of Account Status

本人(等)代表本公司/機構作出以下聲明:
 I/We (on behalf of the entity) certify that the entity is:

a) 本公司/機構是屬於在美國或其任何一州或其政府分支機構(包括哥倫比亞特區或其他州在內)之法律下所成立或組成並須課稅的法人團體或合夥團體。 An entity taxable as a corporation, or a partnership, created or organized in or under the laws of the United States of America ("U.S.") or any state or political subdivision thereof or therein, including the District of Columbia or any other states of the U.S..	<input type="checkbox"/> 是 Yes <input type="checkbox"/> 否 No
b) 本公司/機構是屬於任何來源的收入均須繳納美國聯邦所得稅的遺產。 An estate the income of which is subject to U.S. federal income tax regardless of the source thereof.	<input type="checkbox"/> 是 Yes <input type="checkbox"/> 否 No
c) 本公司/機構是屬於美國境內法院可監理其行政事務且有一人或一人以上之美國人士擁有控制所有主要決定權限之信託，或於 1996 年 8 月 20 日已存在且於 1996 年 8 月 19 日被視為美國信託之選擇信託。 A trust with respect to which a court within the U.S. is able to exercise primary supervision over its administration and one or more U.S. persons have the authority to control all of its substantial decisions, or certain electing trusts that were in existence on 20 August 1996 and were treated as domestic trusts on 19 August 1996.	<input type="checkbox"/> 是 Yes <input type="checkbox"/> 否 No

若在上述任何問題中選擇「是」，請完成第三部分，否則，請完成第四部分。
 If you have indicated "Yes" to any of the above questions, please go to Section 3. Otherwise, please proceed to Section 4.

第三部分： 美國賬戶識別
Section 3: U.S. Account Identification

本人(等)代表本公司/機構作出以下聲明 I/We (on behalf of the entity) certify that the entity is:

本公司/ 機構為「非特定美國人士」 The entity is a "Non-Specified U.S. Person" 是 Yes 否 No

- 若選擇「是」，請提供 FATCA 申報豁免代號(詳情請參閱聲明書附錄 I)。
 If "Yes", please provide a FATCA Reporting Exemption Code (Refer to Appendix I for the FATCA Reporting Exemption Code).

請提供美國稅務編號，公司/機構的美國稅務編號為僱主識別編號。
 Please provide your U.S. Taxpayer Identification Number (TIN). It is your Employer Identification Number (EIN) for an entity.

僱主識別編號									
Employer Identification Number									

完成第三部分後，請繼續完成聲明書第四部分。 Please proceed to Section 4 after you have completed Section 3.

第四部分： FATCA 分類
Section 4: FATCA Classification

- a) 若貴公司/機構屬於 FATCA 法規下「外國金融機構」的定義或以下其中一個分類，請在下列適當空格內加上「✓」號，並填上有關資料(關於各個選項的定義，請參閱附錄 I)。
 If the entity is a Foreign Financial Institution ("FFI") or any one of the following classifications as defined under the relevant FATCA rules, please tick one of the following boxes below (Refer to Appendix I for definition of each classification).

FATCA 分類 FATCA classification	請提供全球中介機構識別號碼("GIIN")或在適用處提供相關資料。 Please provide the Global Intermediary Identification Number ("GIIN") or other information where applicable.
<input type="checkbox"/> 香港金融機構 Hong Kong Financial Institution	
<input type="checkbox"/> 跨政府協議版本一下有報告義務的金融機構 Reporting Financial Institution in a Model 1 Inter-Governmental Agreement ("IGA") Jurisdiction	
<input type="checkbox"/> 跨政府協議版本二下有報告義務的金融機構 Reporting Financial Institution in a Model 2 IGA Jurisdiction	
<input type="checkbox"/> 非跨政府協議下參與合規的外國金融機構 Participating FFI in a Non-IGA Jurisdiction	
<input type="checkbox"/> 受保薦的外國金融機構 Sponsored FFI	1) 若受保薦的外國金融機構沒有 GIIN，請提供保薦機構的 GIIN；及 2) 保薦機構的名稱 Please provide 1) the GIIN of the sponsoring entity if the Sponsored FFI has not obtained a GIIN; and 2) the name of the sponsoring entity.
<input type="checkbox"/> 註冊視同合規的外國金融機構(受保薦的外國金融機構除外) Registered Deemed Compliant FFI (Except Sponsored FFI)	
<input type="checkbox"/> 認證視同合規的外國金融機構 Certified Deemed Compliant FFI	Please provide Form W-8BEN-E. 請提供 W-8BEN-E 表格
<input type="checkbox"/> 豁免實益擁有人 - 請註明以下其中一個類別 Exempt Beneficial Owner ("EBO") - Please specify the type of EBO below <input type="checkbox"/> 香港特別行政區政府機構 (包括香港特別行政區政府及其全資擁有的機構) HKSAR governmental entity (including the Government of the HKSAR and certain entities wholly owned by the Government of the HKSAR) <input type="checkbox"/> 香港金融管理局 Hong Kong Monetary Authority <input type="checkbox"/> 符合香港特別行政區政府與美國政府簽訂的跨政府協議附錄 II 中「豁免實益擁有人」條件的基金 Funds that qualify as EBO in Annex II of the IGA signed between the Government of the HKSAR and the U.S. Government <input type="checkbox"/> 符合香港特別行政區政府與美國政府簽訂的跨政府協議附錄 II 中的國際組織 International organization as defined in Annex II of the IGA signed between the Government of the HKSAR and the U.S. Government <input type="checkbox"/> 其他類別 (請提供 W-8BEN-E 表格) Others (Please provide Form W-8BEN-E)	If "Others" is ticked, please provide Form W-8BEN-E 如屬「其他類別」，請提供 W-8BEN-E 表格
<input type="checkbox"/> 不參與合規的外國金融機構 Non-Participating FFI	不適用 Not applicable

若貴公司/機構的 FATCA 分類並不屬於上述選項，請另行填寫美國稅局 W-8 表格。
 If you fall into a FATCA classification which is not being mentioned above, please fill in U.S. Internal Revenue Service ("IRS") Form W-8.

b) 若貴公司/機構並非屬於 FATCA 法規下的金融外國機構，請在下列適當空格內加上「✓」號，並填上有關資料（關於各個選項的定義，請參閱附錄 I）。
If you are NOT a FFI as defined under the relevant FATCA rules, please tick one of the following boxes below (Refer to Appendix I for definition of each classification).

非金融機構的 FATCA 分類 FATCA classification for Non-financial institution	請提供全球中介機構識別號碼(“GIIN”)或在適用處提供相關資料。 Please provide the Global Intermediary Identification Number (“GIIN”) or other information where applicable.
<input type="checkbox"/> 持有實業的非金融外國機構 Active Non-Financial Foreign Entity (“NFFE”)	不適用 Not applicable
<input type="checkbox"/> 不涉及美國操控人的被動非金融外國機構 Passive NFFE <u>without</u> Controlling U.S. Person(s)	不適用 Not applicable
<input type="checkbox"/> 涉及美國操控人的被動非金融外國機構（請亦填寫下列 c) 部分） Passive NFFE <u>with</u> Controlling U.S. Person(s) (Please also complete Item c) below)	不適用 Not applicable
<input type="checkbox"/> 直接申報的非金融外國機構 Direct Reporting NFFE	
<input type="checkbox"/> 受保薦的直接申報的非金融外國機構 Sponsored Direct Reporting NFFE	1) 若受保薦的直接申報的非金融外國機構沒有 GIIN，請提供保薦機構的 GIIN；及 2) 保薦機構的名稱 Please provide 1) the GIIN of the sponsoring entity if the Sponsored Direct Reporting NFFE has not obtained a GIIN; and 2) the name of the sponsoring entity.

若貴公司/機構的 FATCA 分類並不屬於上述選項，請另行填寫美國國稅局 W-8 表格。
If you fall into a FATCA classification which is not being mentioned above, please fill in IRS Form W-8.

c) 若貴公司/機構屬於 FATCA 法規下「涉及美國操控人的被動非金融外國機構」，請提供每一位美國公民/美國居民操控人的姓名、地址和其美國稅務編號。
If your classification is “Passive NFFE with Controlling U.S. Person(s)”, please provide the name, address and U.S. Taxpayer Identification Number (TIN) of each Controlling Person that is a U.S. citizen or U.S. resident of the Passive NFFE.

姓名 Name	通訊地址 Correspondence Address	美國稅務編號 U.S. Taxpayer Identification No.

完成第四部分後，請繼續完成聲明書第五部分。Please proceed to Section 5 after you have completed Section 4.

第五部分: CRS 分類
Section 5: CRS Classification

請在下列適當空格內加上「✓」號，並填上有關資料（關於各個選項的定義，請參閱附錄 II）。
 Please tick one of the following boxes below (Refer to Appendix II for definition of each classification).

財務機構 Financial Institution	<input type="checkbox"/> 託管機構、存款機構或指明保險公司 Custodial Institution, Depository Institution or Specified Insurance Company <input type="checkbox"/> 投資實體，但不包括由另一財務機構管理（例如：擁有酌情權管理投資實體的資產）並位於非參與稅務管轄區的投資實體 Investment Entity, except an investment entity that is managed by another financial institution (e.g. with discretion to manage the entity's assets) and located in a non-participating jurisdiction
主動非財務實體 Active NFE	<input type="checkbox"/> 該非財務實體的股票經常在 _____（一個具規模證券市場）進行買賣 NFE the stock of which is regularly traded on _____, which is an established securities market <input type="checkbox"/> _____ 的有關連實體，該有關連實體的股票經常在 _____（一個具規模證券市場）進行買賣 Related entity of _____, the stock of which is regularly traded on _____, which is an established securities market <input type="checkbox"/> 政府實體、國際組織、中央銀行或由前述的實體全權擁有的其他實體 NFE is a governmental entity, an international organization, a central bank, or an entity wholly owned by one or more of the foregoing entities <input type="checkbox"/> 除上述以外的主動非財務實體（請說明 _____） Active NFE other than the above (Please specify _____)
被動非財務實體 Passive NFE (請亦填寫第七部分) (Please also complete Section 7)	<input type="checkbox"/> 位於非參與稅務管轄區並由另一財務機構管理的投資實體 Investment entity that is managed by another financial institution and located in a non-participating jurisdiction <input type="checkbox"/> 不屬主動非財務實體的非財務實體 NFE that is not an active NFE

第六部分: 居留司法管轄區及稅務編號或具有等同功能的識別編號（以下簡稱「稅務編號」）
Section 6: Jurisdiction of Residence and Taxpayer Identification Number or its Functional Equivalent ("TIN")

請提供以下資料，列明 (a) 戶口持有人的居留司法管轄區，亦即戶口持有人的稅務管轄區（香港包括在內）及 (b) 該居留司法管轄區發給戶口持有人的稅務編號。列出所有（不限於 5 個）居留司法管轄區。
 Please complete the following table indicating (a) the jurisdiction of residence (including Hong Kong) where the account holder is a resident for tax purposes and (b) the account holder's TIN for each jurisdiction indicated. Indicate all (not restricted to five) jurisdictions of residence.

如戶口持有人是香港稅務居民，稅務編號是其香港商業登記號碼。
 If the account holder is a tax resident of Hong Kong, the TIN is the Hong Kong Business Registration Number.

如沒有提供稅務編號，必須填寫合適的理由：
 If a TIN is unavailable, please provide the appropriate reason A, B or C:

- 理由 A** – 戶口持有人的居留司法管轄區並沒有向其居民發出稅務編號。
Reason A – The jurisdiction where the account holder is a resident for tax purposes does not issue TINs to its residents.
- 理由 B** – 戶口持有人不能取得稅務編號。如選取這一理由，請解釋戶口持有人不能取得稅務編號的原因。
Reason B – The account holder is unable to obtain a TIN. Please explain why the account holder is unable to obtain a TIN if you have selected this reason.
- 理由 C** – 戶口持有人毋須提供稅務編號。居留司法管轄區的主管機關不需要戶口持有人披露稅務編號。
Reason C – TIN is not required. Select this reason only if the authorities of the jurisdiction of residence do not require the TIN to be disclosed.

如貴公司/機構在第二部分的任何問題中選擇「是」的情況，即貴公司/機構是美國人士，並已於第三部分填寫所需資料，則毋須於此第六部分再次填寫有關美國居留司法管轄區及美國稅務編號的資料。
 If the entity has ticked "Yes" in any of the questions in Section 2, i.e. the entity is a U.S. Person, and completed Section 3, you do not need to repeat your U.S. jurisdiction of residence and TIN in this Section 6.

居留司法管轄區 Jurisdiction of Residence	稅務編號 TIN	如沒有提供稅務編號，請填寫理由 A、B 或 C Please enter Reason A, B or C if no TIN is available	如選取理由 B，請解釋戶口持有人不能取得稅務編號的原因 Please explain why the account holder is unable to obtain a TIN if you have selected Reason B
(1)			
(2)			
(3)			
(4)			
(5)			

注意：如貴公司/機構並不屬於成立地區的稅務居民，請填寫一份合理解釋表格。
 Notice: If the entity is not a tax resident of the jurisdiction where the entity was incorporated, please complete a Reasonable Explanation Form.

第七部分： 控權人士 (如公司/機構戶口持有人於第五部分所填報之 CRS 分類是「被動非財務實體」，請填寫此部)
Section 7: Controlling Persons (Please complete this part if the entity account holder's CRS classification declared in Section 5 is "Passive NFE")

就戶口持有人，填寫所有控權人的姓名在列表內。就法人實體，如行使控制權的並非自然人，控權人會是該法人實體的高級管理人員。
Indicate the name of all controlling person(s) of the account holder in the table below. If no natural person exercises control over an entity which is a legal person, the controlling person will be the individual holding the position of senior managing official.

備註：每名控權人須分別填寫一份共同匯報標準的聲明書（控權人）。

Note: Each controlling person shall complete a Self-Certification Form (Controlling Person) for CRS.

(1)	(5)
(2)	(6)
(3)	(7)
(4)	(8)

第八部分： 聲明
Section 8: Declaration

1. 在不抵觸當地適用的法律的情況下，本公司/機構同意銀行可向本地及海外監管機構或稅務機構披露、呈交或提供本公司/機構的資料以確立本公司/機構於任何司法管轄區的稅務責任。
Subject to applicable local laws, the entity hereby consents for the Bank to disclose, report or share the information of the entity with local and overseas regulators or tax authorities where necessary to establish its tax liability in any jurisdiction.

2. 因應本地及海外監管機構或稅務機構的要求，本公司/機構同意並准許銀行可按適用的法律、法規和指令在本公司/機構銀行戶口中扣留相關所須的款項。Where required by local or overseas regulators or tax authorities, the entity consents and agrees that the Bank may withhold from the account(s) of the entity such amounts as may be required according to applicable laws, regulations and directives.

3. 本公司/機構承諾會與銀行充分合作，以確保銀行就處理與本公司/機構銀行戶口相關的事宜會符合適用的法律、法規和指令。
The entity undertakes to fully cooperate with the Bank to ensure it meets its obligations under applicable laws, regulations and directives in connection with our account(s).

4. (以下聲明適用於貴公司/機構在第二部分的任何問題中選擇「是」的情況，即貴公司/機構是美國人士)
(The following certification is applicable if the entity has ticked "Yes" in any of the questions in Section 2, i.e. the entity is a U.S. Person)
在願受作假證供的懲處下，本人(等)聲明：
Under penalty of perjury, I/we certify that:

- (i) 此聲明書所示的號碼是本公司/機構正確的美國稅務編號；及
The number shown on this form is the correct U.S. taxpayer identification number of the entity, and
- (ii) *本公司/機構毋須繳納後備預扣稅，原因是 (a) 本公司/機構獲豁免繳納後備預扣稅，或 (b) 美國國稅局並未通知本公司/機構，指因本公司/機構未能申報所有利息或股息而須繳納後備預扣稅，或 (c) 美國國稅局已通知本公司/機構不再需要繳納後備預扣稅；及
*The entity is not subject to backup withholding because: (a) the entity is exempted from backup withholding, or (b) the entity has not been notified by the U.S. Internal Revenue Service ("IRS") that the entity is subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified the entity that it is no longer subject to backup withholding, and
- (iii) 本公司/機構是 (i) 美國或其任何一州或其政府分支機構(包括哥倫比亞特區或其他州在內)之法律下所成立或組成並須課稅的法人團體或合夥團體；
(ii) 源於遺產及因而獲得任何來源的收入均須繳納美國聯邦所得稅的；或 (iii) 屬於美國境內法院可監理其行政事務且有一人或一人以上之美國人士擁有控制所有主要決定權之信託，或於 1996 年 8 月 20 日已存在且於 1996 年 8 月 19 日被視為美國信託之選擇信託；及
The entity is (i) an entity taxable as a corporation, or a partnership, created or organized in or under the laws of the United States of America ("U.S.") or any state or political subdivision thereof or therein, including the District of Columbia or any other states of the U.S., (ii) an estate the income of which is subject to U.S. federal income tax regardless of the source thereof, or (iii) a trust with respect to which a court within the U.S. is able to exercise primary supervision over its administration and one or more U.S. persons have the authority to control all of its substantial decisions, or certain electing trusts that were in existence on 20 August 1996 and were treated as domestic trusts on 19 August 1996; and
- (iv) 此聲明書中所填寫的表明本公司/機構豁免 FATCA 申報的 FATCA 代號是正確的。
The FATCA code(s) entered on this form (if any) indicating that the entity is exempted from FATCA reporting is correct.

聲明指引：如貴公司/機構已獲美國國稅局通知貴公司/機構因未有在稅務申報表中申報所有利息或股息而現時須繳納後備預扣稅，則須刪除上文第(ii)項（以* 符號標示）。

Note: You must cross out item (ii) (marked with *) above if the entity has been notified by the IRS that the entity is currently subject to backup withholding because the entity has failed to report all interest and dividends on its tax return.

如貴公司/機構為美國人士，貴公司/機構須同意以上有關聲明。美國國稅局並不要求貴公司/機構同意其他與避免預扣稅無關的條文。
For a U.S. person, the entity is required to provide the relevant declarations contained in the above paragraph. The U.S. Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholdings.

5. (以下聲明僅適用於貴公司/機構在第二部分的所有問題中皆選擇「否」的情況，即貴公司/機構不是美國人士)
(The following certification is applicable only if the entity has ticked "No" in all questions in Section 2, i.e. the entity is not a U.S. Person)
本人(等)在願受作假證供的懲處下特此聲明，本人(等)已閱讀明白此聲明書上所有之內容及同時聲明就本人(等)所知所信，在此聲明書內所填報的各項資料均屬真實、正確以及完整。本人(等)在願受作假證供的懲處下進一步聲明以下內容為實：
Under penalties of perjury, I/we declare that I have examined the information on this form and to the best of my/our knowledge and belief it is true, correct, and complete. I/We further certify under penalties of perjury that:

- (i) 本公司/機構為與此聲明書所載內容相關之所有收入之受益人，用此聲明書來證明其 FATCA 身份，或以商人身份為美國國內稅收法 Internal Revenue Code (IRC) Section 6050W 提交此聲明書；及
The entity is the beneficial owner of all the income to which this form relates, is using this form to certify its status for chapter 4 purposes (i.e. FATCA purposes), or is a merchant submitting this form for purposes of section 6050W of U.S. Internal Revenue Code (IRC), and
- (ii) 本公司/機構為非美國機構；及
The entity is not a U.S. person, and
- (iii) 與此聲明書所載內容相關之收入 (a) 與在美國境內之貿易和商業無實際關聯，或 (b) 即使收入與美國境內之貿易和商業有關，其收入可根據互惠協定而不須繳付任何美國之所得稅，或 (c) 相關之收入為合夥經營之份額，並且
The income to which this form relates is: (a) not effectively connected with the conduct of a trade or business in the U.S., or (b) effectively connected but is not subject to tax under an income tax treaty, or (c) the partner's share of a partnership's effectively connected income, and

(iv) 就經紀交易或以貨易貨交易而言，受益人為美國稅務表格W-8BEN-E 說明中所定義之可豁免之外國人。

For broker transactions or barter exchanges, the beneficial owner is an exempt foreign person as defined in the instructions of IRS Form W-8BEN-E.

此外，本人(等)授權此聲明書以交付任何對可本人(等)為受益人之收入擁有控制、收取或託管權力之所得稅扣繳單位，或任何對以本人(等)為受益人之收入擁有發放或支付權力之所得稅扣繳單位。

Furthermore, I/we authorize this form to be provided to any withholding agent that has control, receipt, or custody of the income of which the entity is the beneficial owner or any withholding agent that can disburse or make payments of the income of which the entity is the beneficial owner.

6. 本人(等)聲明本人(等)已閱讀且明白此聲明書的所有內容，同時聲明就本人(等)所知所信，本聲明書所提供的相關資料均屬真實、正確和完整。本人(等)明白銀行依賴此等資料以決定公司/機構的身份是否符合 FATCA 的要求 (FATCA 為一項美國稅務法律)。本人(等)有責任在提供此聲明書上的資料時確保資料的準確性。附錄 I 的聲明書填寫指引僅供參考。銀行不能提供美國的稅務意見或任何關於 FATCA 或其對公司/機構的影響的意見。本公司/機構及本人(等)需就任何稅務問題尋求專業稅務顧問的意見。

I/we (on behalf of the entity) declare that I/we have examined the information on this form and to the best of my/our knowledge and belief it is true, correct, and complete. I/we understand that the Bank is relying on this information for the purpose of determining the status of the entity named above in compliance with FATCA which is a U.S. tax legislation. It is my/our responsibility to be accurate in giving the information on this form. The guidance for the self-certification in Appendix I is for reference only. The Bank is not able to offer U.S. tax advice or any advice on FATCA or its impact on the entity. The entity and I/we should seek advice from professional tax advisor for any tax questions.

7. 在不影響上述第 1 條的情況下及除該條款之外，本人(等)知悉及同意，銀行可根據《稅務條例》(第 112 章)有關交換財務戶口資料的法律條文，(a) 收集本聲明書所載資料並可備存作自動交換財務戶口資料用途及 (b) 把該等資料和關於戶口持有人及任何須申報戶口的資料向香港特別行政區政府稅務局申報，從而把資料轉交到戶口持有人的居留司法管轄區的稅務當局。

Without prejudice and in addition to clause 1 above, I/we acknowledge and agree that (a) the information contained in this form is collected and may be kept by the Bank for the purpose of automatic exchange of financial account information, and (b) such information and information regarding the account holder and any reportable account(s) may be reported by the Bank to the Inland Revenue Department of the Government of the Hong Kong Special Administrative Region and exchanged with the tax authorities of another jurisdiction or jurisdictions in which the account holder may be resident for tax purposes, pursuant to the legal provisions for exchange of financial account information provided under the Inland Revenue Ordinance (Cap.112).

8. 本人(等)證明，就戶口持有人與銀行維持及不時於銀行開立的所有戶口，本人(等)獲戶口持有人授權簽署本聲明書。

I/we certify that I/we am/are authorized to sign this form for the account holder for all of its account(s) maintained with the Bank and to be opened with the Bank from time to time.

9. 本人(等)了解，倘若此聲明書所載的資料在作出時或被證明是虛假的或具誤導性的，銀行可能因此蒙受損失或招致損害。本人(等)同意就所有該等損失或損害對銀行作出彌償。

I/we acknowledge that the Bank may suffer loss or incur damage if the information on this form is or proves to be false or misleading when made. I/we agree to indemnify the Bank on demand for all such loss and damage.

10. 若此聲明書中的任何資料有所更改，本人(等)同意於 30 日內重新提供正確的聲明書。

I/we agree to submit a new form within 30 days if any information or certification on this form becomes incorrect.

11. 此聲明書的英文本與中文譯本如有歧義，概以英文本為準。

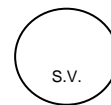
In the case of any inconsistency between the English version and the Chinese translation of this form, the English version shall prevail.

警告：根據《稅務條例》(第 112 章)第 80(2E)條，如任何人在作出自我證明時，在明知一項陳述在要項上屬具誤導性、虛假或不正確，或罔顧一項陳述是否在要項上屬具誤導性、虛假或不正確下，作出該項陳述，即屬犯罪。一經定罪，可處第 3 級 (即\$10,000) 罰款。

WARNING: It is an offence under section 80(2E) of the Inland Revenue Ordinance (Cap.112) if any person, in making a self-certification, makes a statement that is misleading, false or incorrect in a material particular AND knows, or is reckless as to whether, the statement is misleading, false or incorrect in a material particular. A person who commits the offence is liable on conviction to a fine at level 3 (i.e. \$10,000).

本人(等)謹聲明本人(等)有權代表本公司/機構作出以下簽署。本人(等)已謹慎查核此聲明書中的內容，並確認以上所申報的資料，在本人(等)認知的範圍內均屬真實、正確和完整。特此聲明。

I/we certify that I/we have the capacity to sign for the entity. I/we declare that I/we have examined the information on this form and to the best of my/our knowledge and belief the certification is true, correct, and complete.



授權簽署及公司蓋章(如適用) Authorized Signature and Company Chop (if applicable)

姓名 Name _____

身分 Capacity _____

(例如：公司的董事或高級人員、合夥的合夥人、信託的受託人等)

(e.g. director or officer of a company, partner of a partnership, trustee of a trust etc.)

日期(日/月/年) Date (DD/MM/YYYY) _____

請註明任何一個於銀行用以上簽署的戶口號碼(以便簽名驗證):

For signature verification purpose, please specify an account number with the Bank to which the above signature is applicable: _____

銀行專用 FOR BANK USE ONLY – To be completed by receiving branch / department

Reviewed & checked by authorized signer _____ (Full name)

Staff signature and Signature no. _____

For any GIIN provided, please verify the GIIN on IRS website (<http://apps.irs.gov/app/fatcaFfiList/flu.jsf>), print the screenshot and mark the date of verification (DD/MM/YYYY) _____

1. 「非特定美國人士」的相關申報豁免的代號 FATCA Reporting Exemption Code

以下代號用於鑑別屬於FATCA申報豁免的美國客戶（「非特定美國人士」） The following codes identify U.S. Persons that are exempt from reporting under FATCA (“Non-Specified U.S. Person”)	
A	根據美國國稅法規第501 (a) 條規定的被豁免之組織或根據美國國稅法規第7701 (a) (37)所指之個人退休計劃 (An organization exempt from U.S. tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37) of the U.S. Internal Revenue Code (“Tax Code”))
B	美國聯邦政府及其下屬機構 (The U.S. or any wholly owned agency or instrumentality thereof)
C	美國州政府，哥倫比亞特區，美國領土，及其下屬機構或其全資擁有的機構或部門 (Any state of the U.S., the District of Columbia, any U.S. territory, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality of any one or more of the foregoing)
D	根據美國財政部法規第1.1472-1(c)(1)(i)條所指之上市公司 (A corporation the stock of which is regularly traded on one or more established securities markets, as described in U.S. Treasury Regulations Section 1.1472-1(c)(1)(i))
E	根據美國財政部法規第1.1472-1(c)(1)(i)條所指之公司的聯屬集團內的附屬公司 (A corporation that is a member of the same expanded affiliated group as a corporation described in U.S. Treasury Regulations Section 1.1472-1(c)(1)(i))
F	美國國內註冊的股票、外匯或商品期貨零售商 (A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the U.S. or any state within the U.S.)
G	根據美國國稅法規第856條規定的不動產投資信託公司 (Any real estate investment trust as defined in section 856 of the Tax Code)
H	根據美國國稅法規第851條所指的監管投資公司，或根據美國證券交易委員會在1940年投資公司法 (15 U.S.C. 80a-64)成立之公司 (Any regulated investment company as defined in section 851 of the Tax Code or any entity registered with the Securities Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-64))
I	根據美國國稅法規第584(a)條所指之共同信託基金 (A common trust fund as defined in section 584(a) of the Tax Code)
J	根據美國國稅法規第581條所指之銀行 (A bank as defined in section 581 of the Tax Code)
K	經紀人 (A broker)
L	根據美國國稅法規第664條或第4947(a)(1)條規定，可豁免稅務的信託 (A trust exempt from tax under section 664 or described in section 4947(a)(1) of the Tax Code)
M	根據美國國稅法規第403(b)條或457(g)條規定，可豁免稅務的信託 (A tax exempt trust under a section 403(b) plan or section 457(g) plan of the Tax Code)

2. 香港與美國於 2014 年 11 月 13 日正式簽署「跨政府協議版本二」，以便利香港的金融機構處理和遵從「外國賬戶稅務合規法案」的要求。「外國賬戶稅務合規法案」是美國制定的反逃稅機制，為識別美國納稅人在美國境外的金融機構設立賬戶以圖向美國稅務局隱瞞其收入及資產的情況。法案規定美國境外的金融機構須向美國稅務局披露美國納稅人的賬戶資料。

Hong Kong and the U.S. signed a Model 2 inter-governmental agreement (IGA) ("Model 2 IGA") on 13 November 2014 to facilitate compliance with the U.S. Foreign Account Tax Compliance Act (FATCA) by financial institutions in Hong Kong. FATCA is an anti-tax evasion regime enacted by the U.S. to detect U.S. taxpayers who use accounts with non-U.S. financial institutions to conceal income and assets from the IRS. It requires financial institutions outside the U.S. to report financial account information of U.S. taxpayers to the IRS.

3. 金融機構 Financial institution (“FI”)

「金融機構」是指託管機構、存款機構、投資機構、或特定保險公司。

The term “Financial Institution” means a Custodial Institution, a Depository Institution, an Investment Entity, or a Specified Insurance Company.

「託管機構」是指為其他人土持有金融資產，以之作為其業務的重大部份的任何機構。如於：(i)截至作出釐定的年度之前的 12 月 31 日（或非曆年會計期間的最後一日）止三個年度期間；或(ii)機構已存在的期間（以較短期間者為準）內，機構的總收入內持有金融資產及有關金融服務所佔的部份相等於或超過該機構的總收入的 20%，該機構即以為其他人土持有金融資產作為業務的重大部份。

The term “Custodial Institution” means any entity that holds, as a substantial portion of its business, financial assets for the account of others. An entity holds financial assets for the account of others as a substantial portion of its business if the entity’s gross income attributable to the holding of financial assets and related financial services equals or exceeds 20 percent of the entity’s gross income during the shorter of: (i) the three-year period that ends on December 31 (or the final day of a non-calendar year accounting period) prior to the year in which the determination is being made; or (ii) the period during which the entity has been in existence.

「存款機構」是指從事一般銀行或相類以活動的過程中接收存款的機構。

The term “Depository Institution” means any entity that accepts deposits in the ordinary course of a banking or similar business.

「投資機構」是指藉著為或代客戶進行以下一項或多項活動或營運作為業務經營（或由某個藉著進行以下一項或多項活動或營運作為業務經營的機構管理）的任何機構：

The term “Investment Entity” means any entity that conducts as a business (or is managed by an entity that conducts as a business) one or more of the following activities or operations for or on behalf of a customer:

- 1) 買賣貨幣市場工具（包括支票、匯票、存款證、衍生工具等）；外匯；兌換、利率及指數工具；可轉換證券；或商品期貨交易；
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;
- 2) 個人及集體投資組合管理；或
Individual and collective portfolio management; or
- 3) 以其他方式代其他人士投資、管理或處理基金或貨幣。
Otherwise investing, administering, or managing funds or money on behalf of other persons.

「特定保險公司」是指作為發出現金保險合約或年金合約，或有責任就現金保險合約或年金合約付款的保險公司（或保險公司的控股公司）的任何機構。
The term “Specified Insurance Company” means any 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.

4. 香港金融機構 Hong Kong Financial Institution

「香港金融機構」指在香港設立的金融機構，但不包括該其海外分行。香港金融機構亦包括外國金融機構的香港分行。

The term “Hong Kong Financial Institution” means any financial institution established in Hong Kong, but excluding any branches of such financial institution located outside of Hong Kong. The term Hong Kong Financial Institution also includes a Hong Kong branch of an FFI formed outside of Hong Kong.

5. 跨政府協議版本一下有報告義務的金融機構 Reporting Financial Institution in a Model 1 IGA Jurisdiction

「跨政府協議版本一下有報告義務的金融機構」是指已與美國簽訂跨政府協議「版本一」的國家之金融機構。

The term “Reporting Financial Institution in a Model 1 IGA Jurisdiction” means an FFI that is formed in a country that has signed a Model 1 Intergovernmental Agreement with the U.S.

6. 跨政府協議版本二下有報告義務的金融機構 Reporting Financial Institution in a Model 2 IGA Jurisdiction

「跨政府協議版本二下有報告義務的金融機構」是指已與美國簽訂跨政府協議「版本二」的國家之金融機構。這些外國金融機構需要和美國政府簽訂外國金融機構協議以成為合規參與的外國金融機構。

The term “Reporting Financial Institution in a Model 2 IGA Jurisdiction” means an FFI that is formed in a country that has signed a Model 2 IGA with the U.S. Such FFI would also be required to be subject to the FFI agreement with the U.S. government and become a Participating FFI.

7. 非跨政府協議下參與合規的外國金融機構 Participating FFI in a Non-IGA Jurisdiction

「非跨政府協議下合規參與的外國金融機構」是指在沒有跨政府協議下，已和美國政府簽訂外國金融機構協議之合規參與的外國金融機構。

The term “Participating FFI in a Non-IGA Jurisdiction” means an FFI that is formed in a country that has not signed any IGA with the U.S. and that has signed an FFI agreement with the U.S. government to become a Participating FFI.

8. 受保薦的外國金融機構 Sponsored FFI

「受保薦的外國金融機構」是指符合跨政府協議「版本二」附錄 II 中特定要求的機構。這些機構包括受保薦的投資機構及受控的外國企業。

The term “Sponsored FFI” means an entity that meets certain FATCA requirements as described in Annex II of the Model 2 IGA. It includes sponsored investment entities and sponsored controlled foreign corporations.

受保薦的金融機構是屬於「註冊視同合規的外國金融機構」的其中一種類別。

This is a type of “Registered Deemed Compliant FFI”.

9. 註冊視同合規的外國金融機構 Registered Deemed Compliant FFI

「註冊視同合規的外國金融機構」是指已在美國國稅局註冊，且符合跨政府協議「版本二」附錄 II 中特定要求的機構，總體上包含以下類別：

The term “Registered Deemed Compliant FFI” means an FFI that has registered with the IRS and meets certain FATCA requirements as described in Annex II of the Model 2 IGA. In general, it includes the following categories:

- 1) 擁有當地客戶群的註冊金融機構；
Registered financial institutions with a local client base;
- 2) 集體投資工具；以及
Collective investment vehicles; and
- 3) 已註冊及合資格的信用卡發行者。
Registered qualified credit card issuers.

10. 認證視同合規的外國金融機構 Certified Deemed Compliant FFI

「認證視同合規的外國金融機構」是指符合跨政府協議「版本二」附錄 II 中特定要求的機構。該類外國金融機構需要聲明自身為「認證和被視作合規的金融機構」。這些機構並不需要向美國國稅局註冊。一般而言，這些機構包括以下類別：

The term “Certified Deemed Compliant FFI” means an FFI that meets certain FATCA requirements as described in Annex II of the Model 2 IGA. Such FFI would certify its status as a “Certified deemed-compliant FFI” without registering with the IRS. In general, it includes the following categories:

- 1) 符合法案規定的本地銀行；
Local banks meeting detailed requirements;
- 2) 只有低價值賬戶的外國金融機構；
FFIs with only low-value accounts;
- 3) 受保薦的投資工具；
Sponsored, closely held investment vehicles;

- 4) 由受託人記載的信託；以及
Trustee-documented trust; and
- 5) 符合規定的投資諮詢公司及投資管理人。
Certain investment advisors and investment managers meeting detailed requirements.

11. 豁免實益擁有人 Exempt Beneficial Owner (EBOs)

豁免實益擁有人一般包括符合美國財政部法規 § 1.1471-6 (如: 非美國的中央銀行, 非美國政府機構) 或相關跨政府協議中定義的類別。

An EBO is an entity which meets the requirements described in Treasury Regulations § 1.1471-6 (e.g. as a foreign central bank of issue, foreign government) or applicable IGA.

根據香港特別行政區政府與美國政府簽訂的跨政府協議的附錄 II，豁免實益擁有人一般包括以下類別：

The following entities are generally treated as EBOs as described in Annex II of the IGA signed between the Government of HKSAR and the U.S. Government:

- 1) 香港特別行政區政府機構（包括香港特別行政區政府及其全資擁有的機構）；
HKSAR governmental entity (including the Government of the HKSAR and certain entities wholly owned by the Government of the HKSAR);
- 2) 香港金融管理局；
Hong Kong Monetary Authority;
- 3) 符合香港特別行政區政府與美國政府簽訂的跨政府協議附錄 II 中「豁免實益擁有人」條件的基金；以及
Funds that qualify as EBO in Annex II of the IGA signed between the Government of the HKSAR and the U.S. Government; and
- 4) 符合香港特別行政區政府與美國政府簽訂的跨政府協議附錄 II 中的國際組織。
International organizations as defined in Annex II of the IGA signed between the Government of the HKSAR and the U.S. Government.

12. 不參與合規的外國金融機構 Non-Participating FFI

「不參與合規的外國金融機構」指除了外國賬戶稅務合規法案最終規例下的(i)合規參與的外國金融機構、(ii) 視作合規的外國金融機構或 (iii) 豁免實益擁有人以外的外國金融機構。

The term "Non-participating FFI" refers to FFI other than (i) a participating FFI, (ii) a deemed-compliant FFI, or (iii) an exempt beneficial owner under FATCA final regulations.

不參與合規的外國金融機構並不包括香港金融機構或其他協議國的金融機構（除在跨政府協議(「版本一」或「版本二」)或其他與美國協議下被視作不合規的金融機構)。

It does not include a Hong Kong Financial Institution or other Partner Jurisdiction Financial Institution other than a Financial Institution treated as a Non-participating Financial Institution pursuant to the relevant Model 1 or Model 2 IGA or the corresponding provision in an agreement between the U.S. and a Partner Jurisdiction.

13. 持有實業的非金融外國機構 Active NFFE

「非金融外國機構」是指任何非美國機構及非外國金融機構，同時符合跨政府協議「版本二」附錄 I 第 VI 節 B 段的機構。舉例，如果客戶是一間製造業公司，它很有可能是一個持有實業的非金融外國機構。一般而言，它包括以下類別：

An Non-Financial Foreign Entity ("NFFE") means any non-U.S. entity that is not a FFI, which meets certain requirements set out in Annex I (paragraph B of Section VI) in a Model 2 IGA. For example, if a customer is itself a manufacturing company, it is likely to be an Active NFFE. In general, it includes the following categories:

- 1) 此機構於上一年度的被動收入少於其總收益的 50% 及於上一年度所持有用作賺取被動收入的資產少於其總資產的 50% ；
The NFFE has less than 50% of its gross income for the last calendar year be passive income and less than 50% of its assets for the last calendar year be assets that produce passive income;
- 2) 此機構或其聯屬公司是符合特定要求的上市公司；
The NFFE or its affiliate is a regularly publicly traded entity meeting certain requirements;
- 3) 此機構在美國領土成立，且所有收款人的擁有者都是該美國領土的真正居民；
The NFFE is organized in a U.S. Territory and all of the owners of the payee are bona fide residents of that U.S. Territory;
- 4) 此機構是一個非美國政府、該政府的行政區（包括州、省、縣或直轄市）、執行某些政府或其行政區的職能的公共機構、美國領土的政府、國際組織、非美國的中央銀行、或由一個或多個前述實體全資擁有的實體；
The NFFE is a government (other than the U.S. government), a political subdivision of such government (which, for the avoidance of doubt, includes a state, province, county, or municipality), or a public body performing a function of such government or a political subdivision thereof, a government of a U.S. Territory, an international organization, a non-U.S. central bank of issue, or an entity wholly owned by one or more of the foregoing;
- 5) 此機構主要 (i) 持有（全部或部分）從事貿易或非金融業務的一間或多間子公司或者 (ii) 提供融資和服務給一間或多間子公司。若此機構的性質被視為投資基金，則不屬於此類別；
Substantially all of the activities of the NFFE 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 NFFE shall not qualify for this status if the NFFE functions (or holds itself out) as an investment fund;
- 6) 此機構為初創公司，或正在清盤中的公司，或為財資公司；
The NFFE is a start-up, liquidating or treasury company;
- 7) 此機構在過去的五年中並不是金融機構，並正進行清盤及重組，意圖繼續或展開非金融相關的業務；
The NFFE was not a FI 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 FI;

- 8) 此機構主要為非金融機構的關聯公司進行融資及對沖交易，且不為任何非關聯公司提供融資或對沖服務；或
The NFFE primarily engages in financing and hedging transactions with, or for, related entities that are not FI, 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 FI; or
- 9) 此機構符合非牟利組織的特定要求。
The NFFE meets detailed requirements applicable to certain not-for-profit organizations.

14. 被動的非金融外國機構 Passive NFFE

在跨政府協議「版本二」中，「被動的非金融外國機構」是指除了持有實業的非金融外國機構以外的非金融外國機構。
Under Model 2 IGA, the term “Passive NFFE” means an NFFE other than an Active NFFE.

15. 操控人 Controlling Persons

「操控人」在跨政府協議「版本二」下泛指能操控一個機構的自然人。對信託而言，操控人包括最終的財產授予人、受託人、保護人（如有）、受益人，或對其信託能予以操控的自然人。在信託以外的法律安排上，操控人有著相同或類近的意思。「操控人」的演繹方法應與國際組織【金融行動特別工作組】的建議一致。

The term “Controlling Persons” under a Model 2 IGA means the natural persons who exercise control over an entity. In the case of a trust, such term means the settlor, the trustees, the protector (if any), the beneficiaries or class of beneficiaries, and any other natural person 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. The term “Controlling Persons” shall be interpreted in a manner consistent with the Financial Action Task Force Recommendations.

16. 直接申報的非金融外國機構，或受保薦的直接申報的非金融外國機構 Direct Reporting NFFEs or Sponsored Direct Reporting NFFEs

外國賬戶稅務合規法案最終規則規定「直接申報的非金融外國機構」及「受保薦的直接申報的非金融外國機構」都是屬於可豁免的非金融外國機構的類別。直接申報的非金融外國機構是指選擇直接向美國國稅局申報其美國操控人的資料的被動非金融外國機構。直接申報的非金融外國機構不需與美國簽署外國金融機構協議。此外，美國國稅局及美國財政部計劃容許特定機構替直接申報的非金融外國機構匯報相關的資料(這些機構為「受保薦的直接申報的非金融外國機構」)。

FATCA final regulations provide that “Direct Reporting NFFEs” and “Sponsored Direct Reporting NFFEs” qualify as excepted NFFEs. A Direct Reporting NFFE is a Passive NFFE that elects to provide the information of its U.S. Controlling Persons directly to the IRS. A Direct Reporting NFFE will not be required to sign an FFI Agreement. Further, the IRS and the U.S. Department of the Treasury intend to allow an entity to sponsor Direct Reporting NFFEs (such an NFFE, a “Sponsored Direct Reporting NFFE”).

免責聲明: 本附錄提供的資料及解釋僅供參考。本附錄並不旨在就外國賬戶稅務合規法案提供詳盡無遺的指引。如閣下須要取得有關法律條文的確切陳述，閣下應直接參考外國賬戶稅務合規法案。大銀行有限公司並無就本附錄所載的為特定目的或用途列出的資料及解釋的準確性或質素作出明示或默示的保證。如有必要，閣下應尋求法律意見。

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1. 「戶口持有人」“Account Holder”

「戶口持有人」指被維持該財務帳戶的財務機構列明為或識辨為帳戶的持有人的人士，不論該人士是否為過渡實體。所以，如果一個信託或遺產被列明為某財務戶口的持有人或擁有人，則戶口持有人是該信託或遺產，而非受託人、信託的擁有人或受益人。同樣地，如果一個合夥被列明為某財務戶口的持有人或擁有人，則戶口持有人是該合夥，而非合夥的合夥人。

The “Account Holder” is the person listed or identified as the holder of a financial account by the Financial Institution that maintains the account. This is regardless of whether such person is a flow-through Entity. Thus, for example, 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. Similarly, 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.

除財務機構外，若有關人士以代理人、託管人、代名人、簽署人、投資顧問、中介人或合法監護人身份代其他人士持有財務戶口，他不會被視為戶口持有人。在這種情況下，戶口持有人應為該其他人士。以一個家長與子女開立的戶口為例，如戶口以家長為子女的合法監護人名義開立，子女會被視為戶口持有人。

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, intermediary, or legal guardian, is not treated as the Account Holder. In these circumstances that other person is the Account Holder. For example in the case of a parent/child relationship where the parent is acting as a legal guardian, the child is regarded as the Account Holder.

聯名戶口內的每個持有人在戶口內。

With respect to a jointly held account, each joint holder is treated as an Account Holder.

2. 「主動非財務實體」“Active NFE”

「主動非財務實體」指符合任何以下準則的非財務實體，總括而言，有關準則指：

An NFE is an Active NFE if it meets any of the criteria listed below. In summary, those criteria refer to:

- 符合相關收入及資產規定的主動非財務實體；
Active NFEs by reason of income and assets;
- 其股票被公開進行買賣的非財務實體；
Publicly traded NFEs;
- 政府實體、國際組織、中央銀行或其全權擁有的實體；
Governmental Entities, International Organisations, Central Banks, or their wholly owned Entities;
- 屬並非財務集團成員的控股非財務實體；
Holding NFEs that are members of a nonfinancial group;
- 新成立的非財務實體；
Start-up NFEs;
- 正進行清盤或出現破產的非財務實體；
NFEs that are liquidating or emerging from bankruptcy;
- 屬並非財務集團成員的財資中心；或
Treasury centres that are members of a nonfinancial group; or
- 非牟利的非財務實體。
Non-profit NFEs.

如符合任何以下準則，實體會被分類為主動非財務實體：

An entity will be classified as Active NFE if it meets any of the following criteria:

- (i) 在該年的對上一個公曆年或其他適當申報期，該非財務實體的總收入中少於50%屬被動收入；及在該公曆年或其他適當申報期內，該非財務實體持有的資產中，少於50%屬產生被動收入的資產，或屬為產生被動收入而持有的資產；
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;
- (ii) 該非財務實體的股票或該非財務實體的有關連實體股票，在某具規模證券市場中，被經常進行買賣；
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;
- (iii) 該非財務實體屬政府實體、國際組織、中央銀行或由一個或多於一個前述的實體全權擁有的實體；
The NFE is a governmental Entity, an international organisation, a central bank, or an Entity wholly owned by one or more of the foregoing;
- (iv) 該非財務實體的活動中，相當大部分是以下活動：持有一間或多於一間從事財務機構業務以外的交易或業務的附屬公司的全部或部分已發行股份，或向該等附屬公司提供資金及服務。但不包括以下情況：該實體以投資基金形式運作，或顯示本身是投資基金，例如私人股權基金、創業資本基金、槓桿式收購基金，或以下述活動為目標的投資工具：購買或資助任何公司，然後為投資目的，持有該等公司的權益作為資本資產；
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;
- (v) 該非財務實體「(新成立的非財務實體)」尚未經營業務，亦沒有在過往經營業務，及正出於經營財務機構業務以外的業務的意圖，而將資金投資於資產。但不包括組成已超過 24 個月的非財務實體；
The NFE is not yet operating a business and has no prior operating history, (a “start-up NFE”) but is investing capital into assets with the intent to operate a business other than that of a Financial Institution, provided that the NFE does not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFE;
- (vi) 該非財務實體在過往 5 年內並非財務機構，並且正對其資產進行清盤；或出於繼續或重新展開經營財務機構業務以外的業務的意圖，而進行重組；
The NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganising with the intent to continue or recommence operations in a business other than that of a Financial Institution;
- (vii) 該非財務實體主要從事與該實體的屬並非財務機構的有關連實體進行融資及對沖交易，或為該等有關連實體進行融資及對沖交易；但並沒有向並非其有關連實體的任何實體，提供融資或對沖服務。而其有關連實體所屬的集團，主要從事財務機構業務以外的業務；或

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; or

(viii) 該非財務實體符合以下所有要求(「非牟利的非財務實體」):

The NFE meets all of the following requirements (a "non-profit NFE"):

- a) 該非財務實體在其居留司法管轄區成立和營運是純粹為了宗教、慈善、科學、藝術、文化、體育或教育的目的；或該非財務實體在其居留司法管轄區成立和營運，並且是專業組織、商業協會、總商會、勞工組織、農業或園藝組織、文化協會，或純粹為了促進社會福利而營運的組織；
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;
- b) 該非財務實體在其居留司法管轄區獲豁免，而無須繳付入息稅；
It is exempt from income tax in its jurisdiction of residence;
- c) 該非財務實體並沒有任何符合以下說明的股東或成員：對該實體的收入或資產，擁有所有權權益或實益權益；
It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- d) 該非財務實體的居留司法管轄區的適用法律，或該實體的成立文件，並不准許該實體的任何收入或資產，分配予私人或非慈善實體，或為私人或非慈善實體的利益而運用該收入或資產，除非該項分配或運用是依據該實體所進行的慈善活動而作出的；或作為支付已提供的服務的合理補償的；或作為該實體以公平市價購買任何物業的付款的；及
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; and
- e) 該非財務實體的居留司法管轄區的適用法律(或該非財務實體的成立文件)規定，該非財務實體一旦清盤或解散，其所有資產均須分配予某政府實體或其他非牟利組織，或須交還予該居留司法管轄區的政府，或該政府的政治分部。
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.

3. 「控權」"Control"

自然人對某實體的「控權」，通常透過其在實體的控制擁有權權益(典型地會按某個百分比(例如多於 25%)為基準)行使。如沒有自然人透過擁有權權益行使控制，該實體的控權人將會是透過其他方式對該實體行使控制的自然人；如沒有自然人識辨為透過擁有權權益對某實體行使控制，該實體的控權人將會設定為處於高級行政人員位置或對該實體的管理行使最終控制權的自然人。

"Control" over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest (typically on the basis of a certain percentage (e.g. more than 25%) in the Entity. Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the Entity will be the natural person(s) who exercises control of the Entity through other means. Where no natural person(s) is/are identified as exercising control of the Entity through ownership interests, the Controlling Person of the Entity is deemed to be the natural person who holds the position of senior managing official or exercises ultimate control over the management of the Entity.

4. 「控權人」"Controlling Person(s)"

「控權人」指對該實體行使控制權的自然人。就信託而言，「控權人」指屬該信託的財產授予人、受託人、保護人(如有的話)、受益人或某類別受益人的成員的個人；或任何自然人對該信託的管理行使最終控制權(包括透過一連串的控制或擁有權)。財產授予人、受託人、保護人(如有的話)、受益人或某類別受益人的成員的個人會被視為信託的「控權人」，不論該等人士是否對該信託的活動行使控制權。

"Controlling Persons" are the natural person(s) who exercise control over an 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). The settlor(s), the trustee(s), the protector(s) (if any), and the beneficiary(ies) or class(es) of beneficiaries, must always be treated as Controlling Persons of a trust, regardless of whether or not any of them exercises control over the activities of the trust.

如財產授予人、受託人、保護人或受益人為實體，財產授予人、受託人、保護人或受益人的「控權人」會被視為信託的「控權人」。

Where the settlor, trustee, protector or beneficiary of a trust are themselves Entities then the Controlling Persons of the settlor, trustee, protector or beneficiary must be treated as Controlling Persons of the trust.

就並非信託的法律安排，「控權人」指相等於或處於一個相類於信託的人士。

In the case of a legal arrangement other than a trust, "Controlling Person(s)" means persons in equivalent or similar positions to those of a trust.

5. 「託管機構」"Custodial Institution"

「託管機構」一詞指符合以下說明的實體：該實體為他人的帳戶持有財務資產，而如此持有該等財務資產，在其業務中佔相當大部分。在這情況下，該實體可歸因於持有財務資產及相關的財務服務的總收入，相等於或超過該實體在以下期間(兩者中以較短者為準)的總收入的20%：(i) 在斷定某實體是否託管機構的年份之前的、截至12月31日(或非公曆年會計期的最後一日)為止的3年期間；(ii) 該實體存在的期間。

The term "Custodial Institution" means any Entity that holds, as a substantial portion of its business, financial assets for the account of others. This is where the Entity's gross income attributable to the holding of financial assets and related financial services equals or exceeds 20% of the Entity's gross income during the shorter of: (i) the three-year period that ends on 31 December (or the final day of a non-calendar year accounting period) prior to the year in which the determination is being made; or (ii) the period during which the Entity has been in existence.

6. 「存款機構」"Depository Institution"

「存款機構」一詞指《銀行業條例》(第155章)第2(1)條所界定的認可機構；或在銀行業務或相類業務的通常運作中接受存款的實體。

The term "Depository Institution" means an authorized institution as defined by section 2(1) of the Banking Ordinance (Cap. 155) or any Entity that accepts deposits in the ordinary course of a banking or similar business.

7. 「實體」"Entity"

「實體」一詞指法人或法律安排，例如：法團、組織、合夥、信託或基金會。該詞涵蓋並非個人(即自然人)的人士。

The term "Entity" means a legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation. This term covers any person other than an individual (i.e. a natural person).

8. 「財務機構」“Financial Institution”

「財務機構」一詞指「託管機構」、「存款機構」、「投資實體」或「指明保險公司」。

The term “Financial Institution” means a “Custodial Institution”, a “Depository Institution”, an “Investment Entity”, or a “Specified Insurance Company”.

9. 「投資實體」“Investment Entity”

「投資實體」一詞指：

The term “Investment Entity” means:

- (a) 根據《證券及期貨條例》(第 571 章) 獲發牌進行一項或多於一項以下受規管活動的法團
a corporation licensed under the Securities and Futures Ordinance (Cap. 571) to carry out one or more of the following regulated activities –
- (i) 證券交易;
dealing in securities;
 - (ii) 期貨合約買賣;
trading in futures contracts;
 - (iii) 槓桿式外匯交易;
leveraged foreign exchange trading;
 - (iv) 資產管理;
asset management;
- (b) 根據《證券及期貨條例》(第 571 章) 獲註冊進行一項或多於一項以下受規管活動的機構 –
an institution registered under the Securities and Futures Ordinance (Cap. 571) to carry out one or more of the following regulated activities –
- (i) 證券交易;
dealing in securities;
 - (ii) 期貨合約買賣;
trading in futures contracts;
 - (iii) 資產管理;
asset management;
- (c) 根據《證券及期貨條例》(第 571 章) 獲認可的集體投資計劃;
a collective investment scheme authorized under the Securities and Futures Ordinance (Cap. 571);
- (d) 符合以下說明的實體： 主要為或代表其客戶從事一項或多於一項以下活動，或主要為或代表其客戶運作一項或多於一項以下項目，作為業務：
an Entity that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:
- (i) 買賣貨幣市場工具(如支票、匯票、存款證及衍生工具等)、外匯、兌換、息率及指數工具、可轉讓證券及商品期貨;
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;
 - (ii) 個人及集體投資組合管理;
individual and collective portfolio management; or
 - (iii) 以其他方式，代其他實體或個人投資、處理或管理財務資產或金錢。該等活動或運作並不包括向客戶提供非約束性投資諮詢。
otherwise investing, administering, or managing Financial Assets or money on behalf of other entity or individual. Such activities or operations do not include rendering non-binding investment advice to a customer.
- (e) 另一類投資實體(由另一財務機構管理的投資實體)是指其總收入主要可歸因於財務資產的投資、再投資或買賣並由另一存款機構、託管機構、指明保險公司或屬上述(a)、(b)、(c)及(d)項所述的投資實體管理的實體。
The second type of “Investment Entity” (Investment Entity managed by another Financial Institution) is 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 an Investment Entity described in (a), (b), (c) or (d) above.

10. 「位於非參與稅務管轄區並由另一財務機構管理的投資實體」“Investment Entity managed by another Financial Institution and located in a Non-Participating Jurisdiction”

「位於非參與稅務管轄區並由另一財務機構管理的投資實體」一詞指其總收入主要可歸因於財務資產的投資、再投資或買賣的實體且該實體是 (i) 由一個財務機構管理；及(ii)非參與稅務管轄區財務機構。

The term “Investment Entity that is managed by another Financial Institution and located in a Non-Participating Jurisdiction” means any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in financial assets if the Entity is (i) managed by a Financial Institution and (ii) not a Participating Jurisdiction Financial Institution.

11. 「由另一財務機構管理的投資實體」“Investment Entity managed by another Financial Institution”

如果一個實體直接或通過另一服務提供者代表另一實體進行任何上述投資實體的定義 (d)項所述的活動或運作，則該另一實體會被視為由該管理實體所管理。

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 activities or operations described in paragraph (d) above in the definition of “Investment Entity”.

一個實體只有在有權自行管理另一實體的部分或全部資產的情況下，才會被視為可管理該另一實體。當一個實體由財務機構、非財務實體或個人的組合管理時，如果某一管理實體為存款機構、託管機構、指明保險公司或屬上述(a)、(b)、(c)及或(d)項所述的投資實體的實體，則該實體會被視為由另一實體管理。

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 described in (a), (b), (c) or (d) above, if any of the managing Entities is such another Entity.

12. 「非財務實體」“NFE”

「非財務實體」指並非財務機構的實體。

An “NFE” is any Entity that is not a Financial Institution.

13. 「參與稅務管轄區」“Participating Jurisdiction”

「參與稅務管轄區」指稅務條例(第112章)附表17E第2部所指明的、在香港以外的稅務管轄區。

A “Participating Jurisdiction” means a jurisdiction outside Hong Kong that is specified in Part 2 of Schedule 17E of the Inland Revenue Ordinance (Cap. 112).

14. 「參與稅務管轄區財務機構」“Participating Jurisdiction Financial Institution”

「參與稅務管轄區財務機構」一詞指：(i) 任何居於某參與稅務管轄區的財務機構，但不包括有關財務機構位於該管轄區境外的分支機構；及(ii) 某財務機構位於某參與稅務管轄區的任何分支機構，而該財務機構並非居於該管轄區。

The term “Participating Jurisdiction Financial Institution” means (i) 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 jurisdiction, and (ii) any branch of a Financial Institution that is not tax resident in a Participating Jurisdiction, if that branch is located in such Participating Jurisdiction.

15. 「被動非財務實體」“Passive NFE”

「被動非財務實體」指任何：(i) 不屬主動非財務實體的非財務實體；及(ii) 位於非參與稅務管轄區並由另一財務機構管理的投資實體。

A “Passive NFE” means any: (i) NFE that is not an Active NFE; and (ii) Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution.

16. 「有關連實體」“Related Entity”

若某實體控制另一實體，或兩個實體共同受同一人控制，則該實體是另一實體的「有關連實體」。就此而言，控制可透過直接或間接持有某實體超過50%的表決權或股份的價值。

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.

17. 「稅務居民」“Resident for tax purposes”

一般而言，如根據某個稅務管轄區的規定(包括稅收協定)，任何實體不僅就以有關稅務管轄區為來源的收入，亦因其居籍、居所、管理工作地點、成立為法團地點，或任何性質類似的其他準則，在有關稅務管轄區需要繳稅或有繳稅責任，便會成為該稅務管轄區的稅務居民。沒有稅務居民身份的實體，例如：合夥、有限法律責任合夥或類似的法律安排，應被視為其實際管理地點所在稅務管轄區的稅務居民。一個信託應被視為一個或多於一個受託人居住的稅務管轄區的居民。有關稅務居民身分的更多資訊，請聯絡閣下的稅務顧問或瀏覽經濟合作與發展組織的自動交換資料網站：

<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/>

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 therein 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. An Entity such as a partnership, limited liability partnership or similar legal arrangement that has no residence for tax purposes shall be treated as resident in the jurisdiction in which its place of effective management is situated. A trust is treated as resident where one or more of its trustees is resident. For additional information on tax residence, please talk to your tax adviser or refer to the OECD Automatic Exchange Portal at the following link:

<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/>

18. 「指明保險公司」“Specified Insurance Company”

「指明保險公司」一詞指任何屬保險公司的實體，或屬某保險公司的控股公司的實體，而該實體發出現金價值保險合約或年金合約，或有責任就現金價值保險合約或年金合約付款。

The term “Specified Insurance Company” means any 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.

19. 「稅務編號」(包括具有等同功能的識別編號)“TIN” (including “functional equivalent”)

「稅務編號」一詞指納稅人的識別編號或具有等同功能的識別編號(如無納稅人的識別編號)。稅務編號是稅務管轄區向個人或實體分配獨有的字母與數字組合，用於識別個人或實體的身分，以便實施該稅務管轄區的稅務法律。有關可接受的稅務編號的更多詳細資訊刊載於經濟合作與發展組織的自動交換資料網站：

<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/>

The term “TIN” means Taxpayer Identification Number or a functional equivalent in the absence of a TIN. A TIN is 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. Further details of acceptable TINs can be found at the OECD Automatic Exchange Portal at the following link:

<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/>

某些稅務管轄區不發出稅務編號。但是，這些稅務管轄區通常使用具有等同識別功能的其他完整號碼(「具有等同功能的識別號碼」)。此類號碼的例子包括：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 –

- (a) 就個人而言，社會安全號碼/保險號碼、公民/個人身份/服務代碼/號碼，以及居民登記號碼。
(for individuals) a social security/insurance number, citizen/personal identification/service code/number, and resident registration number.
- (b) 就實體而言，商業/公司登記代碼/號碼。
(for Entities) a Business/company registration code/number

免責聲明: 本附錄提供的資料及解釋僅供參考。本附錄並不在就《稅務條例》(第 112 章)(「條例」)提供詳盡無遺的指引。如閣下須要取得有關法律條文的確切陳述,閣下應直接參考條例。大銀行有限公司並無就本附錄所載的為特定目的或用途列出的資料及解釋的準確性或質素作出明示或默示的保證。如有必要,閣下應尋求法律意見。

Disclaimer: The information and interpretations provided in this Appendix is for general reference only. It does not provide an exhaustive guide to the application of the Inland Revenue Ordinance (Cap.112) (the "Ordinance"). For a complete and definitive statement of law, direct reference should be made to the Ordinance itself. Dah Sing Bank, Limited makes no express or implied warranties of accuracy or fitness for a particular purpose of use with respect to the information and interpretations set out in this Appendix. You are advised to seek legal advice if necessary.