

Self-Certification Legal Entity – AEOI / FATCA

Policy / Application Number(s) _____

In the following text “Quantum” refers to Quantum Leben AG. Key terms are explained in the glossary. Neither this document nor the associated declarations constitute tax advice.

Due to the statutory obligations under the OECD Common Reporting Standard (CRS, AEOI Act) and the Foreign Account Tax Compliance Act (FATCA) on Automatic Information Exchange, as well as the applicable international agreements (IGA) and national implementation acts as amended, Quantum is obliged to obtain information of its customers’ tax residency and to keep this information up to date. This self-certification is an integral part of all contractual relations that the customer (Policyholder or “Account Holder”¹) has entered into with Quantum.

Please note that failure to fill in this self-certification may lead to multiple and inaccurate reporting. If you do not provide this / these AEOI / FATCA form(s), Quantum must report you to the respective Reportable Jurisdictions based on the information that is available to Quantum.

If you have any questions about this form, these instructions, or defining your tax residency status, please speak to your tax adviser or local tax authority. As a financial institution, we are not allowed to give advice on filling in this form.

1. Policyholder or “Account Holder” within the context of AEOI / FATCA

Legal name of the Legal Entity _____

Country of establishment (incorporation) _____

Residence Address _____

ZIP code / City _____

Registration Country _____

Mailing address (please only complete if different to the address above)

Address _____

ZIP code / City _____

Country _____

¹ In the FATCA and AEOI context, policyholders are referred to as “Account Holder”; see glossary at the end of this form.

² The Taxpayer ID is the identification number issued by the respective country for tax purposes and for international data exchange. The Taxpayer ID need only be provided if the respective country has already defined such a number for its citizens (e.g. social security number in the USA and Austria; Account Holders who are (tax) resident in the EU are referred to the EU website: https://ec.europa.eu/taxation_customs/tin/tinByCountry.html?locale=de).

2. Countries in which the Policyholder or “Account Holder” is a Tax Resident

The Account Holder herewith confirms that he is a tax resident within the meaning of full tax liability pursuant to the locally applicable laws and regulations solely in the following countries.

Country of tax residence	Tax identification number (TIN) ²	Reason, if a TIN is not available (A, B or C, see below for description)		
		A	B	C
		A	B	C
		A	B	C

Reason A: The country does not issue a TIN

Reason B: No TIN required (this is only possible if the country does not disclose a Taxpayer ID)

Reason C: Other reasons (please specify): _____

3. Status of the Policyholder or “Account Holder”:

Please indicate the status of the Policyholder or “Account Holder” truthfully by ticking one of the following choices (multiple answers are not possible).

3.1 Entity type

A	Financial Institution – Investment Entity		
	(i.)	An Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution	☐
	(ii.)	Other Investment Entity	☐
B	Financial Institution – Depository Institution, Custodial Institution or Specified Insurance Company		☐
C	Active NFE – a corporation the stock of which is regularly traded on an established securities market or a corporation which is a related entity of such a corporation		☐
	If you have ticked (c), please provide the name of the established securities market on which the corporation is regularly traded:		
	If you are a Related Entity of a regularly traded corporation, please provide the name of the regularly traded corporation that the Entity in (c) is a Related Entity of:		
D	Active NFE – a Government Entity or Central Bank		☐
E	Active NFE – an International organisation (Intergovernmental or supranational organisation)		☐
F	Active NFE – other than (C) - (E)		☐
G	Passive NFE		☐

4. Beneficial Owner / Controlling Person

Regardless of the entity type please identify all beneficial owner(s) / controlling person(s).

If you have a power of attorney, please complete section 4.1 with the full details of each beneficial owner / controlling person and add a copy of the power of attorney - **OR** state their names in the section 4.1 **AND** enclose the “Self-Certification Controlling Person – AEOI / FATCA” form we have provided you. The “Self-Certification Controlling Person – AEOI / FATCA” form is only valid if signed and completed by the identified individual beneficial owner(s) / controlling person(s).

For CRS if there are no natural persons who exercise control of the Entity then the Controlling Person will be the natural person(s) who hold the position of senior managing official (see definition of “Controlling Person” in the Appendix)

Beneficial Owners / Controlling Persons Types:

a.	Controlling Person of a legal person – control by ownership more than 25% (holds or controls 25% or more of the legal entity's shares or voting rights, or holds 25% or more of the legal entity's profits (CRS801))
b.	Controlling Person of a legal person – control by other means
c.	Controlling Person of a legal person – senior managing official
d.	Controlling Person of a trust – settlor
e.	Controlling Person of a trust – trustee
f.	Controlling Person of a trust – protector
g.	Controlling Person of a trust – beneficiary
h.	Controlling Person of a trust – other
i.	Controlling Person of a legal arrangement (non-trust) – settlor-equivalent
j.	Controlling Person of a legal arrangement (non-trust) – trustee-equivalent
k.	Controlling Person of a legal arrangement (non-trust) – protector-equivalent
l.	Controlling Person of a legal arrangement (non-trust) – beneficiary-equivalent
m.	Controlling Person of a legal arrangement (non-trust) – other-equivalent Please specify: _____

4.1 Beneficial Owner / Controlling Person Tax Residencies and TINs

Please indicate the tax residencies and other details of all beneficial owner(s)/controlling person(s), using a separate sheet if required. If a beneficial owner(s)/controlling person(s) has / have more than one tax residency please list them as well:

First Beneficial Owner / Controlling Persons					
Full Name			Full Address		
Country of Tax Residency	TIN	Date of Birth	Country of Birth	City of Birth	Controlling Person Type (Select one from 'a' to 'm' above)
If f a country of tax residency does not issue TINS or you are otherwise unable to obtain a TIN please state the reason below:					
Second Beneficial Owner / Controlling Persons					
Full Name			Full Address		
Country of Tax Residency	TIN	Date of Birth	Country of Birth	City of Birth	Controlling Person Type (Select one from 'a' to 'm' above)
If f a country of tax residency does not issue TINS or you are otherwise unable to obtain a TIN please state the reason below:					
Third Beneficial Owner / Controlling Persons					
Full Name			Full Address		
Country of Tax Residency	TIN	Date of Birth	Country of Birth	City of Birth	Controlling Person Type (Select one from 'a' to 'm' above)
If f a country of tax residency does not issue TINS or you are otherwise unable to obtain a TIN please state the reason below:					
Fourth Beneficial Owner / Controlling Persons					
Full Name			Full Address		
Country of Tax Residency	TIN	Date of Birth	Country of Birth	City of Birth	Controlling Person Type (Select one from 'a' to 'm' above)
If f a country of tax residency does not issue TINS or you are otherwise unable to obtain a TIN please state the reason below:					

5. Organisation's Classification under FATCA Tax Regulations

If you are a U.S. person you must provide a completed and signed W-9 form www.irs.gov/pub/irs-pdf/fw9.pdf

Please complete this section of the form by ticking one of the boxes and include details of any U.S. beneficial owner(s) / controlling person(s) in table 5a.

FATCA entity status:

5.1	FATCA IGA Partner Jurisdiction Financial Institution		☐
5.2	Participating Foreign Financial Institution (PFFI) – Provide your GIIN below		☐
5.3	Non-Participating Foreign Financial Institution (N-PFFI)		☐
5.4	US Entity – you must also provide an IRS form W-9		☐
5.5	Deemed Compliant Foreign Financial Entity (besides those listed above)		☐
5.6	Trustee Documented Trust		☐
	Please provide your Trustee's name and GIIN: Trustee's Name: _____ Trustee's GIIN: _____		☐
5.7	Exempt Beneficial Owner		☐
5.8	Active Non-Financial Foreign Entity (Active NFFE)		☐
5.9	Passive Non-Financial Foreign Entity (Passive NFFE)		☐
	a.	The Passive NFFE has no US Controlling Persons	☐
or	b.	The US Controlling Persons and their tax information have been included in section 5A below	☐

Please provide, if held, the Account Holder's Global Intermediary Identification Number ("GIIN") obtained for FATCA purposes

GIIN - - -

5.a U.S. Beneficial Owner / Controlling Person

Please include the details of all U.S. Controlling Persons (using a separate sheet if required).

The U.S. person must provide a W-9 form. It can be downloaded from www.irs.gov/pub/irs-pdf/fw9.pdf

First Beneficial Owner / Controlling Persons				
Full Name	Full Address	Date of Birth	U.S. TIN	Controlling Person Type (Select one from "a" to "m")
Second Beneficial Owner / Controlling Persons				
Full Name	Full Address	Date of Birth	U.S. TIN	Controlling Person Type (Select one from "a" to "m")
Third Beneficial Owner / Controlling Persons				
Full Name	Full Address	Date of Birth	U.S. TIN	Controlling Person Type (Select one from "a" to "m")
Fourth Beneficial Owner / Controlling Persons				
Full Name	Full Address	Date of Birth	U.S. TIN	Controlling Person Type (Select one from "a" to "m")

6. Changes in Circumstances – Duty to Report

The Account Holder herewith confirms that throughout the term of the contractual relationship with Quantum he shall inform Quantum within 30 days and without further demand of any change in his status in terms of U.S. tax law, or if his country of tax residence changes. If any confirmation on this form should no longer be correct, he undertakes to submit a new form and/or other necessary forms and documents within 90 days of such a change in circumstances. He further confirms that he is aware that the above relationship with Quantum may be terminated if he fails, in the case of a change in circumstances, to fulfill his obligation to submit the necessary documents in order to determine whether the policy (the account in terms of U.S. tax law and AEOI/CRS) is a U.S.-Account or not, and/or in which state he is a tax resident. If and as long as Quantum is aware of a change in circumstances that is reportable within the scope of the FATCA or AEOI regulations, and if the Account Holder fails to submit such new information, documentation and/or the self-certification to Quantum within due time of Quantum becoming aware of the change in circumstances, the Account Holder herewith irrevocably agrees that Quantum shall maintain the policy (the account) as a reportable account (e.g. as U.S. Reportable Account) with all the associated reporting obligations.

7. Declaration and Signature

I / We understand that the information supplied by me / us is covered by the full provisions of the terms and conditions governing the Account Holder's relationship with you setting out how you may use and share the information supplied by me / us.

I / We acknowledge that you may disclose and transfer to your parent companies, and your and their respective branches, subsidiaries, affiliates, representative offices, or third party service providers located anywhere in the world (in or outside the country or jurisdiction in which I reside, in which my relationship with you is maintained, in which the account or transaction is booked, in which information is collected and/or retained or in which the transaction is conducted) the information contained in this form and other information regarding the Account Holder(s), any Controlling Person(s) and any Reportable Account(s) when considered necessary by you for your business purposes or in connection with, to comply with, or to facilitate compliance with, any law, regulation, court order or requirement (including under any code, guideline, standard, policy, circular or notice) of a governmental, regulatory, supervisory, law enforcement, prosecuting, tax or similar authority or industry body in any jurisdiction existing currently or in the future, or for the purposes of ongoing cooperation with such governmental, regulatory and / or statutory authority, or to comply with any agreement or arrangement with such authority or between such authorities in any jurisdiction existing currently or in the future, I / We consent to and instruct and authorise you to make such disclosures and transfers and expressly waive any protection or right under data protection, confidentiality, or any other applicable law, to the extent necessary for such disclosures and transfers.

I / We acknowledge that the information contained in this form and information regarding the Account Holder(s) may be reported to the tax authorities of the country / jurisdiction in which this account(s) is / are maintained and exchanged with tax authorities of another country / jurisdiction or countries / jurisdictions in which the Account Holder(s) may be tax resident where those countries / jurisdiction (or tax authorities in those countries / jurisdictions) have entered into Agreements to exchange financial account information with the country(ies) / jurisdiction(s) in which this/these account(s) is / are maintained.

I / We certify that I am / We are authorised to sign for the Account Holder(s) in respect of all the account(s) to which this form relates.

I / We declare that all statements made in this declaration are to the best of my knowledge and belief correct and complete.

If signing under a power of attorney please also attach a certified copy of the power of attorney.

Signature(s): _____

Print name(s): _____

Date: _____

Capacity: _____

Please indicate the capacity in which you are signing the form (for example 'Authorised Officer').

Please check if you have attached:

- "Self-Certification Controlling Person – AEOI/FATCA" including a valid certified passport copy of the beneficial owners and/or controlling person's. To certify passport, ask a professional person like your financial intermediary, bank official, and councilor related to you.
- A valid signatory list.
- W-9, if you are a U.S. person.

Approval by Quantum Leben AG

- ☐ Signature(s) verified
- ☐ FATCA/AEOI-relevant data checked for consistency and completeness

Data, Name, signature of employee: _____

Data, Name, signature of Compliance: _____

Glossary

These explanations merely serve as information and do not constitute any business, legal or tax advice. This information cannot replace individual advice from experts in the concrete case. Nobody may act on the basis of this information without suitable expert advice and a thorough analysis of the concrete situation. We do not accept any liability for decisions made by the user on the basis of this information.

Account Holder

The term Account Holder refers to the person maintained or identified by the Financial Institution at which the account is maintained as the holder of a financial account (in the case of life insurance: as the policyholder or the economic beneficiary of a policy). A person who is not a Financial Institution and maintains a financial account as representative, depository, appointee, signatory, investment advisor or intermediary on behalf or for the account of another person is not considered to be the Account Holder within the meaning of AEOI; in this case the other person is the Account Holder. In the context of the bank accounts of trusts, the trust itself and not the trustee is the Account Holder for AEOI purposes.

Active NFE

An NFE is an Active NFE if the requirements of one or more of the following subcategories are met:

- **Active NFE based on the type of earnings and assets:**
Less than 50% of the NFE's gross earnings in the preceding calendar year or another suitable reporting period are passive earnings (e.g. dividends, interest, rental income, licensing income, annuities), and less than 50% of the assets in the possession of the NFE in the preceding calendar year or another suitable reporting period are assets with which passive earnings are made or to be made.
- **Publicly traded NFE:** The shares of the NFE are traded regularly on a recognized stock exchange.
- **Affiliated Legal Entity of a publicly traded legal entity:** The NFE is an affiliated legal entity of a legal entity, the shares of which are traded regularly on a recognized stock exchange.
- **State-Owned Entity, International Organization or Central Bank:**
The NFE is a state-owned legal entity, an international organization, a central bank, or another legal entity that is wholly controlled by one or more of these institutions.
- **Holding NFE that is part of a Non-Financial Group:**
The business of the NFE consists essentially in holding all (or a part) of the issued shares of one or more subsidiaries that conduct transactions or business outside the scope of business of financial institutions, or in financing such subsidiaries, or in rendering services for the subsidiaries. Entities that serve (or hold out to serve) as investment trusts, for instance private equity funds, venture capital funds, leveraged buyout funds or other special-purpose vehicles aimed at acquiring or financing enterprises and then holding shares in such companies for investment purposes, are not considered to be such NFEs.
- **Start-up NFE:**
The NFE is not doing business yet and has never done business, but is nonetheless investing in assets with the aim of doing business other than the business of a financial institution. After the expiry of a period of 24 months of its establishment, the NFE no longer meets the requirements of this exception.
- **NFE in Liquidation or Reorganization:**

The NFE was not a financial institution in the last five years and is in the progress of liquidating or reorganizing its assets in order to continue or restart business other than the business of a financial institution.

- **Treasury Center that is part of a Non-Financial Group:**

The business of the NFE consists mainly in the financing and hedging of transactions with or for affiliated companies that are not financial institutions, and it does not provide any financing or hedging services for companies that are not affiliated companies, inasmuch as the group of these affiliated companies does business mainly outside the scope of business of financial institutions.

- **Non-Profit NFE:**

The NFE meets the following cumulative requirements:

- It was established exclusively for religious, charitable, scientific, artistic, cultural, sports or education purposes in its country of residence, and is operated for these purposes; or it was established as a professional organization, business association, chamber of commerce, labor organization, agricultural or horticultural organization, civic association or organization serving solely to promote social welfare in its country of residence, and is operated for these purposes;
- It is exempt from income tax in its country of residence;
- It does not have any shareholders or members participating in its revenues or assets as owners or beneficiaries;
- The laws applicable in the NFE's country of residence or the NFE's articles of association do not allow earnings or assets of the NFE to be paid out to natural persons or commercial entities, except when such payment is made within the scope of the NFE's non-profit activities or as reasonable consideration for services rendered or as payment of the fair market price for goods that the NFE has purchased; and
- The laws applicable in the NFE's country of residence or the NFE's articles of association provide for the NFE's entire assets to go to a state owned entity or to another non-profit organization, or to devolve upon the government of the NFE's country of residence or a territorial entity in this country upon liquidation or dissolution of the NFE.

Affiliated Legal Entity

A legal entity is an Affiliated Legal Entity of another legal entity if one of the two legal entities controls the other one or both legal entities are under the same controlling entity. In this context, control means direct or indirect ownership of more than 50% of the capital and the voting rights of the legal entity.

Controlling Person

The term Controlling Person refers to the natural persons who have control of a legal entity (holds or controls 25% or more of the legal entity's shares or voting rights, or holds 25% or more of the legal entity's profits (CRS801)). In the case of a trust, this term refers to the trust maker(s), the trustee(s), the protector(s) where applicable, the beneficiaries or the natural persons belonging to a category of beneficiaries, as well as other natural persons who actually control the trust; in the case of a legal structure that is not a trust, this term refers to persons in equivalent or similar positions. The term "Controlling Person" must be construed in a manner that is compatible with the recommendations of the Financial Action Task Force (FATF).

Custodial Institution

The term Custodial Institution refers to a legal entity, the business of which consists primarily in holding financial assets in safe custody for third-party account. The business of a legal entity consists primarily of holding financial assets in safe custody for third-party account, if the gross earnings of the legal entity attributable to the holding of financial assets in safe custody and the associated financial services account for at least 20% of the gross earnings of the legal entity, namely either i) in the three-year period ending on December 31 (or the last day of a financial year not corresponding with the calendar year) of the

year before the year of assessment, or (ii) during the existence of the legal entity, whichever period is shorter.

Depository Institution

The term Depository Institution refers to a legal entity that takes receipt of deposits within the scope of ordinary financial business or similar business.

Financial Institution

The term Financial Institution refers to a Custodial Institution, Depository Institution, (managing or professionally managed) Investment Entity or Specified Insurance Company.

Financial Assets

The term Financial Assets comprises securities (e.g. shares in the equity of a joint-stock corporation, participating interests or beneficiary ownership of the participating interests in a publicly floated or publicly traded business partnership or a trust, as well as obligations, bonds, debentures, other debt instruments), participating interests in business partnerships, transactions in commodities, swaps (e.g. coupon swaps, currency swaps, basis swaps, interest rate caps, interest rate floors, commodity swaps, equity swaps, stock index swaps and similar arrangements), insurance or annuity insurance contracts, or participating interests in securities (including publicly traded and not publicly traded futures and options), participating interests in business partnerships, transactions in commodities, swaps, or insurance or annuity insurance contracts. The term Financial Assets does not include direct investments in property that are not debt capital.

(Managing) Investment Entity

The term *Investment Entity* refers to a legal entity that mainly provides one or more of the following services commercially for a customer:

- Trade with money market instruments (e.g. checks, bills of exchange, certificates of deposit, derivatives), foreign exchange, exchange rate, interest and index instruments, transferable securities or commodity futures;
- Individual and collective asset management; or
- Other forms of investment or management of financial assets or capital on behalf of third parties.

A legal entity commercially does business primarily in one or more of these lines of business if the gross earnings of the legal entity attributable to such business account for at least 50% of the legal entity's gross earnings, namely either (i) in the three-year period ending on December 31 of the year before the year of assessment, or (ii) during the existence of the legal entity, whichever period is shorter.

NFE (Non-Financial Entity)

An NFE is a legal entity that is not a Financial Institution

Participating State

The term Participating State refers to a state that has (i) agreed on automatic exchange of information with the Principality of Liechtenstein, and (ii) is included in the following list:

<https://www.llv.li/files/stv/int-uebersicht-dba-tiea.pdf>.

Passive NFE

The term Passive NFE refers to an NFE that is not an Active NFE. An Account Holder who is resident in a non-participating state in the view of Liechtenstein, and is a professionally managed Investment Entity, is also treated as a Passive NFE for AEOL purposes.

Passive NFE (Passive Non-Foreign Financial Entity)

A Passive NFE in terms of FATCA (Passive Non-Financial Foreign Entity) is an NFE that is neither an Active NFE nor a foreign business partnership nor a foreign Trust obligation to deduct tax at source

Professionally Managed Investment Entity (PMIE)

The term PMIE refers to a legal entity, the gross earnings of which are attributable mainly to the investment or re-investment of financial assets, or trade with financial assets, if the legal entity is managed by another legal entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company or a (managing) Investment Entity. The gross earnings of a legal entity result primarily from the investment or re-investment of financial assets, or from trade with financial assets, if the gross earnings attributable to these business activities account for at least 50% of the legal entity's gross earnings, namely either (i) in the three-year period ending on December 31 of the year before the year of assessment, or (ii) during the existence of the legal entity, whichever period is shorter.

A legal entity is professionally managed if the managing legal entity performs one or more of the following activities for the legal entity, either directly or through a third party:

- Trade with money market instruments (e.g. checks, bills of exchange, certificates of deposit, derivatives), foreign exchange, exchange rate, interest and index instruments, transferable securities or commodity futures;
- individual and collective asset management;
- or other forms of investment or management of financial assets or capital on behalf of third parties.

However, a legal entity is not considered to be professionally managed if the managing legal entity does not have any discretionary decision-making competences with regard to management of the legal entity's assets (or parts thereof). If management of the assets of a legal entity is split between several Financial Institutions, NFEs and/or persons, the legal entity is considered to be managed by a legal entity that is a Financial Institution.

Reportable Account

The term Reportable Account refers to a financial account, the Account Holders of which are one or more Reportable Persons or a Passive NFE (or a professionally managed Investment Entity that is resident in a non-participating state) controlled by one or more Reportable Persons, if these have been identified as such in application of the AEOI duty of care.

Reportable Person

The term Reportable Person refers to a person who is a tax resident in a Reportable State in application of the local regulations, but not (i) a joint-stock corporation, the shares of which are traded regularly on recognized stock exchanges, (ii) a joint-stock corporation that is an affiliated legal entity of a joint-stock corporation as in (i) above, (iii) a state-owned legal entity, (iv) an International Organization, (v) a Central Bank, or (vi) a Financial Institution.

Reportable State

The term Reportable State refers to a state that has (i) signed an AEOI treaty with the Principality of Liechtenstein that obliges Liechtenstein to disclose information about persons who are tax resident in this state (Reportable Accounts), and (ii) that are included in the following list:
https://www.llv.li/files/stv/int-uebersicht_dba-tiea.pdf

Specified Insurance Companies

The term Specified Insurance Company refers to a legal entity that is an insurance company and concludes surrenderable insurance contracts or annuity insurance contracts, or is obliged to make payments with regard to surrenderable insurance contracts or annuity insurance contracts.

State of Tax Residence

Essentially, a legal entity is considered to be tax resident in a state if it pays taxes or is obliged to pay taxes in accordance with the applicable regulations of this state (including international taxation treaties) because of its seat, residence, location of effective administration or incorporation, or another similar criterion (i.e. full tax liability), and not only because of earnings from sources within this state. Legal entities that are resident in more than one state can - where applicable - determine their tax residence in accordance with the tie-breaker rules of the applicable double-taxation treaty.

Substantial Presence Test (only FATCA)

To pass the Substantial Presence Test, a natural person must have been physically present in the U.S.A. for at least the following periods:

- 31 during the current year, and
- 183 during the three-year period comprising the current year and the two immediately preceding years. In order to meet the 183-day criterion:
 - o all the days of your stay in the current year;
 - o and one third of the days of your stay in the first year before the current year;
 - o and one sixth of the days of your stay in the second year before the current year must be added up.

TIN

The term TIN refers to a Taxpayer Identification Number or functionally equivalent number, if a TIN is not available. A TIN is an individual combination of letters or numbers that is issued by the state of residence to identify natural persons and legal entities for tax purposes. For more information about admissible TINs, visit the AEOI portal of the OECD (<http://www.oecd.org/tax/automatic-exchange/>)

U.S. Territory (only FATCA)

The term U.S. Territory also includes the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico and the American Virgin Islands.