

## FATCA and CRS declaration

The Account Holder (Client) declares the following:

Legal Name of Entity*:	
Company registry number or other registration number:	
Registered seat:	
Tax number* (required to be stated in case of foreign tax residence in line with CRS rules):	
Tax residence*:	
Additional tax residence (all other):	
Representative(s) acting on behalf of the Account Holder:	

**Fields marked with \* are mandatory to be completed.**

(The definitions of terms with numbers can be found in the Explanatory notes attached to this declaration.)

1 Declaration by the Account Holder (i)<sup>1</sup> (Client) on US indicia for compliance with the requirements of Act XIX of 2014 (FATCA regulation)

In order to establish whether the entity making the declaration qualifies as **U.S. Person** in line with the FATCA Act, please respond to all the questions in the following table:

Factors relevant for tax residence purposes:	Client Declaration:		Supplementary declaration has been completed <sup>12</sup> :	
Was the company established or registered in the United States?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	W-9 <input type="checkbox"/>	W-8BEN-E <input type="checkbox"/>
Is the seat, branch of the Company located in the United States?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	W-9 <input type="checkbox"/>	W-8BEN-E <input type="checkbox"/>
Is it considered a Financial Institution? If yes, please underline as appropriate: - Hungarian Financial Institution <sup>2</sup> - Partner Jurisdiction Financial Institution <sup>3</sup> - Nonparticipating Financial Institution <sup>4</sup>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	W-8BEN-E <input type="checkbox"/>	
Does it have GIIN <sup>5</sup> code? If yes, its GIIN code:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	-	

Factors relevant for tax residence purposes:	Client Statement:	Supplementary declaration has been completed <sup>12</sup> :						
Is the Company a passive, non-financial, non-U.S. entity? <sup>6</sup> If Yes:  Is there any U.S. Citizen <sup>7</sup> or U.S. Person <sup>8</sup> that is considered Controlling Person <sup>9</sup> with respect to the company?	<table border="1"> <tr> <td>YES <input type="checkbox"/></td> <td>NO <input type="checkbox"/></td> </tr> <tr> <td>YES <input type="checkbox"/></td> <td>NO <input type="checkbox"/></td> </tr> </table>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>W-9 <input type="checkbox"/></td> <td>W-8BEN-E <input type="checkbox"/></td> </tr> </table>	W-9 <input type="checkbox"/>	W-8BEN-E <input type="checkbox"/>
YES <input type="checkbox"/>	NO <input type="checkbox"/>							
YES <input type="checkbox"/>	NO <input type="checkbox"/>							
W-9 <input type="checkbox"/>	W-8BEN-E <input type="checkbox"/>							
Does the Company act as intermediary? <sup>10</sup>	<table border="1"> <tr> <td>YES <input type="checkbox"/></td> <td>NO <input type="checkbox"/></td> </tr> </table>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	W-8IMY <input type="checkbox"/>				
YES <input type="checkbox"/>	NO <input type="checkbox"/>							
Is the Company considered a U.S. government body, international organization, central bank of issue, organization exempt from tax, private foundation or a government body of a U.S. Territory <sup>11</sup> ?	<table border="1"> <tr> <td>YES <input type="checkbox"/></td> <td>NO <input type="checkbox"/></td> </tr> </table>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	W-8EXP <input type="checkbox"/>				
YES <input type="checkbox"/>	NO <input type="checkbox"/>							
Is the Company a U.S. organization with income linked to trade or business activity undertaken in the United States?	<table border="1"> <tr> <td>YES <input type="checkbox"/></td> <td>NO <input type="checkbox"/></td> </tr> </table>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	W-8ECI <input type="checkbox"/>				
YES <input type="checkbox"/>	NO <input type="checkbox"/>							

If the response to any of the above questions is yes, you are considered a U.S. Person pursuant to the FATCA Act, thus a person subject to U.S. taxation, in which case you are required to make a further tax statement<sup>12</sup> where you can state:

- if you have U.S. taxpayer identification number (TIN), and you are a U.S. Person

or

- you are not a U.S. person.

The further declaration completed and the presentation of the documentary evidence stated in the regulation may support your U.S. / non-U.S. Person status.

*If the FATCA declaration is not completed fully, or you do not wish to make a FATCA declaration or CRS tax declaration, based on regulatory requirements KELER Group will treat your data similarly to the data of U.S. Person clients subject to FATCA, and will hand over your data to the National Tax and Customs Authority of Hungary (hereinafter: NTCA), which will forward your data to the IRS (Internal Revenue Services, Tax Authority of the United States).*

## 2 Declaration by the Account Holder (i)<sup>1</sup> (Client) on US indicia for compliance with the requirements of Act CXC of 2015 (CRS regulation)

I hereby state that the Company is considered (*please underline as appropriate*)

- Financial Institution (ii)
- Passive Non-Financial Entity (iii)
- Active Non-Financial Entity (iv).

I hereby state that *prior to completing the Declaration* I have become familiar with the content of the attached document entitled “International Tax Data Exchange Announcement”. I understand that if I have tax residence in addition to Hungarian tax residence, in accordance with Act XXXVII of 2013 on the Rules of International Administrative Cooperation related to Taxes and Other Payroll, KELER Group reports data to NTCA. NTCA forwards the data stated in the act to the tax authority of the competent state if the state concerned is a member of the European Union or is signatory to the “Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information”.

Being aware of the above and my (our) criminal liability, I (we) hereby state that this declaration is true and complete. I am / we are aware that any change to the above data is required to be reported to KELER Group within 5 (five) business days, and I am / we are liable for any damage resulting from failure to report changes.

*Place and Date:* ..... , .....

.....  
*Client authorized signatories*

## Explanatory notes to the FATCA / CRS Declaration

1. Account Holder (i):	The person listed or identified as the holder of a Financial Account by the KELER Group that maintains the account. 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.
2. Hungarian Financial Institution (ii):	The Financial Institution <ul style="list-style-type: none"> <li>• resident in Hungary, but excluding any branch of such Financial Institution that is located outside Hungary, and</li> <li>• any branch of a Financial Institution not resident in Hungary, if such branch is located in Hungary.</li> </ul>
3. Partner Jurisdiction Financial Institution (ii):	The Financial Institution <ul style="list-style-type: none"> <li>• established in a Partner Jurisdiction listed by IRS, but excluding any branch of such Financial Institution that is located outside the Partner Jurisdiction listed by IRS, and</li> <li>• any branch of a Financial Institution not established in the Partner Jurisdiction listed by IRS, if such branch is located in the Partner Jurisdiction listed by IRS.</li> </ul>
4. Nonparticipating Financial Institution (ii):	It means a nonparticipating Foreign Financial Institution, as that term is defined in relevant U.S. Treasury Regulations. This term does not include a Hungarian Financial Institution or other Partner Jurisdiction Financial Institution other than a Financial Institution treated as a Nonparticipating Financial Institution pursuant to the FATCA Act or the agreement between the United States and other Partner Jurisdiction.
5. GIIN code:	Global Intermediary Identification Number, global financial institution identification number.
6. Passive, Non-financial (iii), Non-U.S. Entity:	Any Non-financial Entity that is not Active (iv) withholding foreign partnership or withholding foreign trust pursuant to the relevant U.S. Treasury Regulation.

Active Company (iv) (non-financial):

It means any Company that meets any of the following criteria:

a) Less than 50 percent of its gross income for the preceding calendar year or other appropriate reporting period is passive income and less than 50 percent of the assets held by the Company during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;

b) The stock of the Company is regularly traded on an established securities market or the Company is a Related Entity of an Entity the stock of which is regularly traded on an established securities market;

c) The Company is organized in a U.S. Territory and all of the owners of the payee are bona fide residents of that U.S. Territory;

d) The Company 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;

e) Substantially all of the activities of the Company 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 the Company shall not qualify for Non-financial Entity status if the Company 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;

f) The Company is not yet operating a business and has no prior operating history, but is investing capital into assets with the intent to operate a business other than that of a Financial Institution, provided that the Non-financial Foreign Entity shall not qualify for this exception after the date that is 24 months after the date of the initial organization of the Company;

g) The Company was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganizing with the intent to continue or recommence operations in a business other than that of a Financial Institution;

h) The Company 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;

	<p>i) The Company is an “excepted Non-financial Foreign Entity” as described in relevant U.S. Treasury Regulation; or</p> <p>j) The Non-financial Foreign Entity meets all of the following requirements:</p> <ol style="list-style-type: none"><li>1. 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 organization, business league, chamber of commerce, labour organization, agricultural or horticultural organization, civic league or an organization operated exclusively for the promotion of social welfare;</li><li>2. It is exempt from income tax in its jurisdiction of residence;</li><li>3. It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;</li><li>4. The applicable laws of its jurisdiction of residence or its formation documents do not permit any income or assets of the Company 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 company’s charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the Company has purchased; and</li><li>5. The applicable laws of the Company’s jurisdiction of residence or the Company’s formation documents require that, upon the liquidation or dissolution of the Company, all of its assets be distributed to a governmental entity or other non-profit organization, or escheat to the government of the Company’s jurisdiction of residence or any political subdivision thereof.</li></ol>
7. U.S. Citizen:	<p>U.S. citizenship can be obtained by birth or nationalization.</p> <p>A person is considered U.S. citizen if both of its parents are U.S. citizens (U.S. National).</p> <p>Additionally, a person is considered U.S. citizen if</p> <ol style="list-style-type: none"><li>(i) the person was born in the U.S.;</li><li>(ii) the person was not born in the U.S., but one of its parents is a U.S. citizen or can be considered a U.S. citizen,</li><li>(iii) it was granted U.S. citizenship by nationalization,</li><li>(iv) if the person was born in U.S. Territory, among others in Puerto Rico, Guam, U.S. Virgin Islands,</li><li>(v) the person is considered U.S. citizen based on other provisions of the United States Code.</li></ol>

8. U.S. Person:	If it has a U.S. residence permit and work permit (so-called green card), has a U.S. place of birth or U.S. mailing or residence address, or U.S. post office box, or has current U.S. mobile or landline telephone number, or standing instructions to transfer funds to an account maintained in the United States, or currently effective power of attorney or signatory authority granted to a person with a U.S. address.
9. Controlling Person:	It 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 Recommendation.
10. Person acting as intermediary:	All persons acting on behalf of another person as custodian, broker, power of attorney or other agent, regardless whether the other person is the beneficial owner of the amount paid, a flow-through entity or an intermediary itself.
11. U.S. Territory:	It means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico, or the U.S. Virgin Islands.
<b>12. Tax statements to be completed</b> (in case of "Yes" response), and the documents to be attached to the statements	Questions 1-2: Statement on Form W-9 or Form W-8BEN-E Question 3: Statement on Form W-8BEN-E if the Account Holder is a "Nonparticipating Financial Institution" based on its statement Question 5: Statement on Form W-9 or W-8BEN-E by the company. If the Company declares to have one or more Controlling Persons who are U.S. citizens or U.S. residents, then Statement on Form W-9 or Form W-8BEN by the Controlling Person. Question 6: Statement on Form W-8IMY Question 7: Statement on Form W-8EXP Question 8: Statement on Form W-8ECI