

Partnership and Joint Accounts Mandate



Account operation, signatories and signing instructions

Some guidelines to help you complete

- 1) **This form is suitable for Joint and Partnerships who want to change:**
 - ▶ Signatories on the account(s) e.g. add/remove a signatory.
 - ▶ Signing instructions for signatories on the account(s).
 - ▶ Nominated individual authorised to access and manage the business accounts via 365 phone and digital banking. This form can also be used to set up customers with this banking service.
- 2) **New and Existing user of 365 Phone and Digital Banking only**

Complete section 7 on [page 2](#) "Authorised user for 365 Phone and Digital Banking access" if you are/wish to use this Phone and Digital banking service.
- 3) **Avoid common errors. Check that:**
 - ▶ All new and continuing signatories sign the form.
 - ▶ The option of how many signatories required to sign at the one time is ticked ([page 2](#), section 6).
 - ▶ The form is signed by the appropriate authorised individual along with the date which the meeting took place and when it was decided that the signatories were to change ([page 2](#), section 5,6,7 and [page 4](#), section 14).
 - ▶ The authorised user of 365 Phone or Digital banking is also an authorised signatory ([page 2](#), section 7).
 - ▶ All sections of this form must be complete, with [page 2](#), section 7 as an exception.
- 4) **If you need to amend your BOL profile/users, please email your Business on Line details to Business.**
Online@boi.com for a copy of the Change of Administrator Form.

Things you need to know about using 365 phone and digital banking

With 365 phone and digital banking, you can bank anytime, anywhere. It makes managing your bank accounts simple. Online transaction fees are also less costly than paper based payments like cheques.

Your business/organisation must nominate a single individual to logon and manage your account(s) and make payments using 365 phone and digital banking. This individual will have sole access and control of the account(s) via 365 phone and digital banking. Once set-up, your Bank account(s) will automatically be registered for e-Statements. You can opt to receive paper statements as well as eStatements by amending the account preference on 365 online. Please note that the individual managing your account will also have the access to change the correspondence address via 365 online.

If this digital banking service is not right for your business, please speak to your Branch about Business On Line. Business On Line is an alternative online banking service for business customers.

For more information, visit www.bankofireland.com.

Branch checklist

- ☐ Check against existing mandate and ensure ID&V check is carried out for new signatories.
- ☐ Forward copy of completed form to BSC in pre addressed brown envelope (Ref:11-254) immediately. Hold original signed form in Branch.
- ☐ Notify Bank of Ireland Contact Centre with any 365 user changes.

To the Governor and Company of the Bank Of Ireland ("The Bank")

We, the undersigned, authorise you to continue one or more accounts as per this mandate in our names or in the Partnership Name (the "Customer") as noted below.

Partnership Name:

or

Joint Account Names:

Business Trading Name if available:

Branch where account(s) are held: Date: //

We the undersigned, hereby authorise you to action these instruction on mandate.

5) Account continuing

The Bank is hereby requested and authorised to continue one or more accounts in the name of the Customer subject to the Bank's "Business Account Terms and Conditions", a copy of which together with the Bank's "Terms of Business", "Bank of Ireland's Data Privacy Summary", "Schedule of Fees and Charges for Business Customers" and "Schedule of International Transactions Charges" have been received, read and understood by the Customer.

6) Account operation & signing instructions

The Bank is authorised to honour and negotiate all cheques and other negotiable instruments drawn, made, endorsed or accepted on behalf of the Customer and to act on all instructions relating to the accounts, affairs or transactions of the Customer including instructions to close any of the accounts even where such action may lead to borrowing or cause any of the accounts to be overdrawn or any overdraft to be increased, provided that they are signed on behalf of the Customer by:

☐ any one ☐ any two ☐ all (please tick one box) of the following Authorised Signatories.

	Signatory Name (Mr/Ms) BLOCK CAPITALS	Specimen Signature (sign within box)
1. Signatory Name		
2. Signatory Name		
3. Signatory Name		
4. Signatory Name		

If there are any additional authorised signatories on the account the Bank is to be given a full list of officials authorised to sign, the list to be provided to the Bank (in the format set out above), together with their specimen signatures.

7) Authorised User for 365 Phone and Digital Banking access

Please only complete this section if using 365 Phone and Digital banking services.

We have been provided with a copy of the Bank of Ireland's standard Terms and Conditions for 365 Phone and Digital Banking and have read and agree to be bound by and fully accept these Terms and Conditions. We have read and understand the guidelines "Things you need to know about using 365 phone and digital banking" on [page 1](#). We authorise the following authorised signatory named below to be the sole authorised user of 365 Phone and Digital Banking in respect of the above account, in accordance with the Bank's standard Terms and Conditions. *The authorised user must be one of the Authorised Signatories named above.

Select at least one option: ☐ New Authorised B365 User ☐ Remove current B365 Authorised User
☐ No change to existing B365 Authorised User

Name:

Signature: Date: //

Mobile No.: Email:

Mother's Maiden Name:

Date of Birth: //

Account details

Account numbers:	NSC: - -	Bank staff No.:
A/c No. 1.		A/c No. 2. A/c No. 3.
A/c No. 4.		A/c No. 5. A/c No. 6.

8) Changes to the authorised signatory list

The Bank be given notice in writing (using the Amendment Form for Existing Account(s) signed by in the case of a partnership account by the signature of the managing partner and one other partner and in the case of a joint account by our joint signatures of any change which may occur from time to time in the list of Authorised Signatories and that where there is such a change in the list of Authorised Signatories it will only become effective if made (i) in accordance with this mandate, and (ii) where the notice includes a clearly legible new list of all the Authorised Signatories of the Customer from the date of the change showing the names in block capitals and the specimen signatures for all the Authorised Signatories. The Bank is authorised to reject any illegible or contradictory authorised signing list or one which lacks any sample signature. On such rejection, the existing signing list remains in full force.

- 9) We agree with you and one another that in the event of the death of any one or more of us any monies outstanding in any accounts in our joint names shall be payable to or held for the survivor or survivors and in the event of the death of the last survivor for the personal representative(s) of the last survivor.

We hereby agree to hold ourselves severally as well as jointly liable for all monies due and liabilities incurred under the above authorisation in any manner whatsoever.

- 10) The Bank is hereby requested to grant accommodation from time to time by way of overdraft, loan or otherwise for the purposes of the Customer, on such terms and conditions as are then current or may be stipulated by the Bank from time to time.

11) Information provided to the bank

- (a) We hereby certify the accuracy of the information provided to the Bank for the purpose of opening the account(s) including the information provided in this pack.

The Bank is authorised, in respect of any information and/or copy documents supplied to the Bank to enable the Bank to comply with its obligations to establish the identity of the Customer in accordance with the laws and regulations concerning the prevention of money laundering and terrorist financing ("anti money laundering provisions") at any time to disclose to, transfer to or send copies thereof to any branch, any other member of the Bank of Ireland Group or any other party as defined in the anti money laundering provisions who may at anytime provide or be requested to provide any services to the Customer.

Any information and or any copy documents which have been supplied to any other member of the Bank of Ireland Group or any branch of the Bank, to enable the Bank to comply with the obligation to establish the identity of the Customer in accordance with the anti money laundering provisions may at any time be disclosed or transferred to, or copies thereof sent by such member or branch to the Bank or another branch of the Bank so as to enable the Bank to comply with its obligations under the anti money laundering provisions. For the benefit of any such member of the Bank of Ireland Group the Customer confirms that such member may act on this authorisation as if it were specifically addressed to such member.

The Bank is authorised in respect of any information supplied to the Bank relating to the identity of the Customer or in connection with any matter arising from any application made to the Bank to make all and any enquires the Bank considers appropriate or disclose any information contained in this form or any such application to, any third party providing a credit reference service and the Customer confirms that the Bank may disclose information relating to any account (if opened) and its operation to any credit reference agency.

- (b) Where we have provided personal data to the Bank relating to individuals including but not limited to authorised signatories, administrators, users or beneficial owners, by signing this application, we confirm that we have informed those individuals that personal data relating to them has been or may be disclosed to the Bank and used by the Bank in accordance with Bank of Ireland's Data Privacy Summary provided to us. We confirm we are aware more detailed information to how the Bank of Ireland Group processes personal data is available in the full Bank of Ireland Data Privacy Notice which is available on request from the Bank or at www.bankofireland.com/privacy.

12) Amendments to the mandate

That this mandate shall be communicated to the Bank and shall remain in full force until an amending mandate shall be passed is communicated to the Bank using the Amendment Form for Existing Account(s).

13) Notwithstanding part 8, the Bank be authorised (but not obliged) to suspend transactions on the account where in its sole discretion it reasonably believes it (a) has unclear authority from the Customer on the signatories authorised to transact on the Customer's behalf or (b) has contradictory instructions in relation to the operation of the account from two or more signatories or persons whom the Bank believes to be in a position of authority in the Customer and that the Bank be authorised to maintain this suspension until the Customer furnishes a new and clear authority in the form of this document or in another form acceptable to the Bank.

14) Confirmation

We are bound by, and requires the Bank to act on, the instructions contained in the mandate above which is hereby certified to be a true copy of the original mandate.

Managing Partner

Name:

Sign
here 

Date //

Signature of Managing Partner

***Partner** (this cannot be the same person as the managing partner above).

Name:

Sign
here 

Date //

Signature of Partner*

FATCA and CRS

Self-Certification Form

Business Customers/Non-Personal Customers



Please complete this form if you are a business customer/non-personal customer other than a sole trader. If you are a sole trader, please complete Personal/Sole Trader FATCA/CRS Self-Certification Form

All Sections must be completed as follows:

- ▶ Non-Financial Entities – Complete Sections 1, 2, 3 and 6
- ▶ Financial Institutions – Complete Section 1, 2, 4, 5 and 6

Introduction

The Governor and Company of the Bank of Ireland ("the Bank") is obliged under Section 891E and Section 891F of the Taxes Consolidation Act 1997 (as amended), and Tax Regulations made pursuant to those sections, to collect certain information in respect of the Foreign Account Tax Compliance Act ('FATCA') and the Common Reporting Standard ('CRS').

Please complete the relevant sections below and provide any additional information requested. In some circumstances, we may be required to share this information with relevant tax authorities who may then share it with tax authorities in other countries or territories. The information shared may include:

- the name and address of your Entity/Organisation
- country(ies)/territory(ies) of tax residence and tax identification number(s) (TINs)
- type of account (e.g. depository account) and account number
- account balance or value at the end of the reporting period or date of closure (if the account was closed during the reporting period)
- gross amounts paid or credited to the account (e.g. interest, dividends, redemption payments)
- whether a valid self-certification is held
- whether the account is new (opened on/after 1 January 2016) or pre-existing (opened before 1 January 2016).
- In certain circumstances, the name, address, country(ies)/territory(ies) of tax residence, US citizenship, tax identification number(s) (TINs), date of birth, place of birth and role(s) of the controlling persons of the Entity/Organisation may also be shared.

This form is only used to request information where such a request is permitted under Irish law.

If you have any questions about how to complete this form or any other concerns about the impact of sharing of information, you should contact your tax advisor or local tax authority.

Please note that the Bank does not provide tax advice and will not be liable for any errors contained in this form.

When filling in this form, read the Glossary of Terms (form 4-1069R) for definitions of specific words and terms.

Section 1 – Entity/Organisation Details (mandatory)

Name of Entity or Organisation	
Country of Incorporation or Organisation	
Current Registered Address	

Section 2 – Tax Residency for FATCA and CRS (mandatory)

Please review the below and complete as appropriate

a) Is your Entity/Organisation a Specified U.S. Person (Note that a Specified U.S. Person includes organisations) Yes ☐ No ☐

If "Yes" you must provide your Organisation's U.S. Tax Identification Number (TIN):

b) Is your Entity/Organisation resident for tax purposes in any country other than the U.S. and the Republic of Ireland? Yes ☐ No ☐

If "Yes", please list below all countries/territories in which your Organisation is tax resident, and provide the corresponding Tax Identification Number (TIN), or functional equivalent for each country/territory, or else a valid explanation as to why no TIN is available,

If "No" please proceed to Section 3

Country/Territory of Tax Residency	Taxpayer Identification Number (TIN)	Reason why no TIN provided (indicate A, B or C from the explanations outlined below)

If you have not been able to provide a TIN, please indicate why using one of the following explanations:

- A. the country/territory of tax residency does not issue TINs or functional equivalents to its residents;
- B. the country/territory of tax residency has not issued a TIN to you (if selecting this option B, please also provide an explanation in the box above as to why no TIN has been issued to you); or
- C. the domestic law of the country/territory of tax residency does not require the collection of a TIN.

Section 3 – Non-Financial Entities

NB: If you are a Financial Institution please proceed directly to Section 4. Otherwise, please select your Entity/Organisation's classification for both FATCA and CRS.

For more details on Non-Financial Entities, please refer to the Glossary in form 4-1069R.

FATCA:

I certify that the Entity/Organisation is an Active NFFE

☐ if "Yes" proceed to Section 6

I certify that the Entity/Organisation is a Passive NFFE

☐ if "Yes", proceed to Section 6 and complete the Controlling Person Self-Certification Form (4-1070R)

I certify that the Entity/Organisation is an Excepted NFFE

☐ if "Yes" proceed to Section 6

CRS:

I certify that the Entity/Organisation is an Active NFE, the stock of which is regularly traded on an established Securities' Market

☐ if "Yes" proceed to Section 6

I certify that the Entity/Organisation is an Active NFE, a Government Entity or Central Bank

☐ if "Yes" proceed to Section 6

I certify that the Entity/Organisation is an Active NFE, an international organisation

☐ if "Yes" proceed to Section 6

I certify that the Entity/Organisation is an Active NFE, other than the above Active NFE categories

☐ if "Yes" proceed to Section 6

I certify that the Entity/Organisation is a Passive NFE

☐ if "Yes" proceed to Section 6 and complete the Controlling Person Self-Certification Form (4-1070R)

Section 4: Financial Institutions required for FATCA

The information provided in this section is for FATCA, please note your classification may differ from your CRS classification in Section 5. If your Entity/Organisation is a Financial Institution under FATCA, please tick one of the options below.

If you are not a Financial Institution under FATCA, please proceed to Section 5.

For more details on Financial Institutions, please refer to the Glossary in form 4-1069R.

- i) ☐ Registered Deemed Compliant Foreign Financial Institution
- ii) ☐ Participating Foreign Financial Institution
- iii) ☐ Partner Jurisdiction Financial Institution (including Irish Financial Institutions)

Please provide your Global Intermediary Identification Number (GIIN):

If your Entity is a Financial Institution but unable to provide a GIIN, please tick one of the below reasons:

- a) ☐ Certified Deemed Compliant Foreign Financial Institution
- b) ☐ Exempt Beneficial Owner
- c) ☐ Non-Participating Foreign Financial Institution
- d) ☐ Excepted Foreign Financial Institution

Section 5: Financial Institutions required for CRS

The information provided in this section is for CRS. Please note your CRS classification may differ from its FATCA classification in Section 4. If your Entity/Organisation is a Financial Institution under CRS, please tick one of the options below.

If your Entity/Organisation is not a Financial Institution under CRS, please proceed to Section 6.

For more details on Financial Institutions, please refer to the Glossary in form 4-1069R.

- i) ☐ Investment Entity in a Non-Participating Jurisdiction
Please complete the Controlling Person Self-Certification form (4-1070R)
- ii) ☐ Financial Institution (other than (i) above)

Section 6 – Declaration and Signature (mandatory)

As a representative authorised to sign on behalf of the entity, I declare that I have examined the information on this form and that the information provided in this form is, to the best of my knowledge and belief, accurate and complete.

As a representative authorised to sign on behalf of the entity, I agree to submit a new form within 30 days if, due to a change of circumstances, any certification or information on this form becomes inaccurate.

Authorised Signatory

/ /

Date

Capacity/Role

Controlling Person Self-Certification Form for FATCA and CRS



The Governor and Company of the Bank of Ireland ("the Bank") is obliged under Section 891E and Section 891F of the Taxes Consolidation Act 1997 (as amended) and Tax Regulations made pursuant to those sections to report certain information about the citizenship and tax residency of controlling persons, as well as the role(s) such controlling persons hold within the Entity/Organisation.

Please complete the relevant sections below and provide any additional information requested. In some circumstances, we may be required to share this information with tax authorities. This form is only used to request information where such a request is permitted under Irish law.

If you have any questions about how to complete this form or any other concerns about the impact of automatic exchange of information, you should contact your tax advisor or local tax authority.

The Bank does not provide tax advice and will not be liable for any errors contained in this form.

Section 1 – Controlling Persons

If your Entity/Organisation has certified in the FATCA and CRS Self-Certification Form for Business Customers / Non-Personal Customers (form 4-1067R) as being;

1. A Passive NFFE/NFE, or
2. An Investment Entity in a Non-Participating Jurisdiction

The Bank is required to establish whether any Controlling Person detailed in the mandate (i.e. Directors or Beneficial Owners whose percentage of ownership is 25% or greater, or who otherwise exercises control over the Entity) is a U.S. citizen or resident in any country/territory other than the Republic of Ireland for tax purposes.

If the Controlling Person is tax resident in more than four countries/territories please use a separate sheet.

Controlling Person 1

Name

Date of Birth / /

Address

Is the Controlling Person a U.S. Citizen? Yes ☐ No ☐

If "Yes" you must provide a U.S. TIN: (Note: U.S. TINs must be 9 digits)

Is the Controlling Person resident in any country or territory other than the Republic of Ireland for tax purposes? Yes ☐ No ☐

If "Yes", list below all countries/territories in which the Controlling Person is tax resident, and provide a Tax Identification Number (TIN) for each country/ territory. A TIN, or else a valid explanation as to why no TIN is available, is mandatory for each country/territory listed.

Note: if United States is the country of tax residency, a U.S. TIN must be provided. U.S. TINs must be 9 digits.

Country/Territory of Tax Residency	Taxpayer Identification Number (TIN)	Reason why no TIN provided (indicate A, B or C from the explanations outlined below)

If you have not been able to provide a TIN, please indicate why using one of the following explanations:

- A. the country/territory of tax residency does not issue TINs or functional equivalents to its residents;
 B. the country/territory of tax residency has not issued a TIN to you (if selecting this option B, please also provide an explanation in the box above as to why no TIN has been issued to you); or
 C. the domestic law of the country/territory of tax residency does not require the collection of a TIN.

Please select a Controlling Person Type from the list to indicate the role(s) by virtue of which you are a Controlling Person in the Entity/Organisation.

Please tick all that apply	
Controlling Person of Legal Person	Control by ownership ☐ Control by other means ☐ Senior managing official ☐
Controlling Person of Legal Arrangement – Trust	Settlor ☐ Trustee ☐ Beneficiary ☐ Protector ☐ Other ☐
Controlling Person of Legal Arrangement –Other	Settlor – equivalent ☐ Trustee – equivalent ☐ Beneficiary – equivalent ☐ Protector – equivalent ☐ Other – equivalent ☐

Controlling Person 2

Name

Date of Birth / /

Address

Is the Controlling Person a U.S. Citizen? Yes ☐ No ☐

If "Yes" you must provide a U.S. TIN: (Note: U.S. TINs must be 9 digits)

Is the Controlling Person resident in any country or territory other than the Republic of Ireland for tax purposes? Yes ☐ No ☐

If "Yes", list below all countries/territories in which the Controlling Person is tax resident, and provide a Tax Identification Number (TIN) for each country/ territory. A TIN, or else a valid explanation as to why no TIN is available, is mandatory for each country/territory listed.

Note: if United States is the country of tax residency, a U.S. TIN must be provided. U.S. TINs must be 9 digits.

Country/Territory of Tax Residency	Taxpayer Identification Number (TIN)	Reason why no TIN provided (indicate A, B or C from the explanations outlined below)

If you have not been able to provide a TIN, please indicate why using one of the following explanations:

- A. the country/territory of tax residency does not issue TINs or functional equivalents to its residents;
 B. the country/territory of tax residency has not issued a TIN to you (if selecting this option B, please also provide an explanation in the box above as to why no TIN has been issued to you); or
 C. the domestic law of the country/territory of tax residency does not require the collection of a TIN.

Please select a Controlling Person Type from the list to indicate the role(s) by virtue of which you are a Controlling Person in the Entity/Organisation.

Please tick all that apply		
Controlling Person of Legal Person	Control by ownership ☐	Control by other means ☐
	Senior managing official ☐	
Controlling Person of Legal Arrangement – Trust	Settlor ☐	Trustee ☐ Beneficiary ☐ Protector ☐ Other ☐
Controlling Person of Legal Arrangement –Other	Settlor – equivalent ☐	Trustee – equivalent ☐
	Beneficiary – equivalent ☐	Protector – equivalent ☐
	Other – equivalent ☐	

Controlling Person 3

Name

Date of Birth / /

Address

Is the Controlling Person a U.S. Citizen? Yes ☐ No ☐

If "Yes" you must provide a U.S. TIN: (Note: U.S. TINs must be 9 digits)

Is the Controlling Person resident in any country or territory other than the Republic of Ireland for tax purposes? Yes ☐ No ☐

If "Yes", list below all countries/territories in which the Controlling Person is tax resident, and provide a Tax Identification Number (TIN) for each country/ territory. A TIN, or else a valid explanation as to why no TIN is available, is mandatory for each country/territory listed.

Note: if United States is the country of tax residency, a U.S. TIN must be provided. U.S. TINs must be 9 digits.

Country/Territory of Tax Residency	Taxpayer Identification Number (TIN)	Reason why no TIN provided (indicate A, B or C from the explanations outlined below)

If you have not been able to provide a TIN, please indicate why using one of the following explanations:

- A. the country/territory of tax residency does not issue TINs or functional equivalents to its residents;
 B. the country/territory of tax residency has not issued a TIN to you (if selecting this option B, please also provide an explanation in the box above as to why no TIN has been issued to you); or
 C. the domestic law of the country/territory of tax residency does not require the collection of a TIN.

Please select a Controlling Person Type from the list to indicate the role(s) by virtue of which you are a Controlling Person in the Entity/Organisation.

Please tick all that apply		
Controlling Person of Legal Person	Control by ownership ☐	Control by other means ☐
	Senior managing official ☐	
Controlling Person of Legal Arrangement – Trust	Settlor ☐	Trustee ☐ Beneficiary ☐ Protector ☐ Other ☐
Controlling Person of Legal Arrangement –Other	Settlor – equivalent ☐	Trustee – equivalent ☐
	Beneficiary – equivalent ☐	Protector – equivalent ☐
	Other – equivalent ☐	

Controlling Person 4

Name

Date of Birth / /

Address

Is the Controlling Person a U.S. Citizen? Yes ☐ No ☐

If "Yes" you must provide a U.S. TIN: (Note: U.S. TINs must be 9 digits)

Is the Controlling Person resident in any country or territory other than the Republic of Ireland for tax purposes? Yes ☐ No ☐

If "Yes", list below all countries/territories in which the Controlling Person is tax resident, and provide a Tax Identification Number (TIN) for each country/ territory. A TIN, or else a valid explanation as to why no TIN is available, is mandatory for each country/territory listed.

Note: if United States is the country of tax residency, a U.S. TIN must be provided. U.S. TINs must be 9 digits.

Country/Territory of Tax Residency	Taxpayer Identification Number (TIN)	Reason why no TIN provided (indicate A, B or C from the explanations outlined below)

If you have not been able to provide a TIN, please indicate why using one of the following explanations:

- A. the country/territory of tax residency does not issue TINs or functional equivalents to its residents;
 B. the country/territory of tax residency has not issued a TIN to you (if selecting this option B, please also provide an explanation in the box above as to why no TIN has been issued to you); or
 C. the domestic law of the country/territory of tax residency does not require the collection of a TIN.

Please select a Controlling Person Type from the list to indicate the role(s) by virtue of which you are a Controlling Person in the Entity/Organisation.

Please tick all that apply		
Controlling Person of Legal Person	Control by ownership ☐	Control by other means ☐
	Senior managing official ☐	
Controlling Person of Legal Arrangement – Trust	Settlor ☐	Trustee ☐ Beneficiary ☐ Protector ☐ Other ☐
Controlling Person of Legal Arrangement –Other	Settlor – equivalent ☐	Trustee – equivalent ☐
	Beneficiary – equivalent ☐	Protector – equivalent ☐
	Other – equivalent ☐	

Section 2 – Declaration and Signature (mandatory)

As a representative authorised to sign on behalf of the entity, I declare that I have examined the information on this form and that the information provided in this form is, to the best of my knowledge and belief, accurate and complete.

As a representative authorised to sign on behalf of the entity, I agree to submit a new form within 30 days if, due to a change of circumstances, any certification or information on this form becomes inaccurate.

As a representative authorised to sign on behalf of the entity, I declare that I have obtained permission from the Controlling Persons mentioned in Section 1, if applicable, to disclose the information related to them for the purpose of it being reported to the tax authorities.

Authorised Signatory

//

Date

Capacity/Role

Name of Entity/Organisation of Controlling Persons

FATCA and CRS Self-Certification

Guidance Notes & Glossary of
Terms for Business /
Non-Personal Customers

(To accompany paper business account application forms)



**Bank of
Ireland**

- ▶ The FATCA and CRS Self-Certification Form for Business Customers / Non-Personal Customers should only be completed where the account holder is other than a natural person, that is, organisations such as corporations, partnerships, trusts and other entities.
- ▶ The Self-Certification Form should be completed by, or on the behalf of, the account holder(s).
- ▶ It is the responsibility of the party completing the Self-Certification Form to ensure that the information provided is complete and valid and, additionally, to provide the recipient with any additional documentation, information or replacement forms when requested or required.
- ▶ If you are unsure how to complete this form or do not understand the consequences of not providing information, you should seek independent legal or tax advice. Nothing in these instructions should be construed as legal or tax advice.

Selecting your Entity Classification

You are required to identify the entity type applicable to your Entity/Organisation. The following questions are designed to assist you with this process. All Sections must be completed as follows:

- ▶ Non-Financial Entities – Complete Sections 1, 2, 3 and 6
- ▶ Financial Institutions – Complete Sections 1, 2, 4, 5 and 6

Section 1 – Entity/Organisation Details (mandatory)

This must be the same as the information provided in the account opening mandate.

Section 2 – Tax Residency for FATCA and CRS (mandatory)

- Is your Entity/Organisation a Specified U.S Person (a Specified U.S. Person includes organisations)?
 - ▶ If Yes: Please indicate this on the Self-Certification Form and provide your U.S. TIN
 - ▶ If No: Please indicate this on the Self-Certification Form
 - ▶ If Don't Know: Please review the definitions in the Glossary section below.
- Is your Entity/Organisation resident for tax purposes in any country other than the U.S. and the Republic of Ireland?
 - ▶ If Yes: Please indicate this on the Self-Certification Form and list all countries where your Entity/Organisation is resident for tax purposes (continuing on a separate sheet if necessary).
 - ▶ For each country please provide the relevant Taxpayer Identification Number ("TIN") or its functional equivalent: this is a unique number or code which will enable the tax authority in that country to identify the organisation.
 - ▶ If No: Please proceed to Section 3 of the Self-Certification Form.

Section 3 – Non-Financial Entities

See the Glossary Section for specific definitions.

If your Entity/Organisation is not a Financial Institution, please complete Section 3. Complete the classifications for both FATCA and CRS.

- ▶ If your organisation is an Active NFE or an Active NFFE, please tick the corresponding field on the Self-Certification Form and proceed to Section 6.
- ▶ If your organisation is a Passive NFE or a Passive NFFE, please tick the corresponding field on the Self-Certification Form and proceed to complete Section 6. You must also complete the Controlling Person Self-Certification Form (Form 4-1070R) with respect to each Controlling Person.
- ▶ If your organisation is an Excepted NFFE, please tick the corresponding field on the Self-Certification Form and proceed to Section 6.
- ▶ If Don't Know: Please review the definitions in the Glossary section below.

Section 4 – Financial Institutions required for FATCA

See the Glossary Section for specific definitions.

If your organisation is a Financial Institution please complete Section 4 to confirm your classification for FATCA.

- ▶ If your organisation is a Financial Institution under FATCA, please indicate this on the Self-Certification Form by selecting the appropriate option (i-iii).
- ▶ If your organisation is a Financial Institution but does not have a GIIN, please indicate this on the Self-Certification Form by selecting the appropriate option (a-d).
- ▶ If Don't Know: Please review the definitions in the Glossary section below.

Section 5 – Financial Institutions required for CRS

See the Glossary Section for specific definitions.

If your organisation is a Financial Institution please complete Section 5 to confirm your classification for CRS.

- ▶ If your organisation is an Investment Entity in a Non-Participating Jurisdiction, please tick the corresponding field on the application form and proceed to complete Section 6. You must also complete the Controlling Person Self-Certification Form (Form 4-1070R) with respect to each Controlling Person.
- ▶ If your organisation is a Financial Institution under CRS, please indicate this on the Self-Certification Form
- ▶ If Don't Know: Please review the definitions in the Glossary section below.

Section 6 – Declaration and Signature (mandatory)

You must duly sign the Self-Certification declaration and certify that the information provided is correct and accurate.

Glossary

FATCA Specific Definitions

Active Non-Financial Foreign Entity (Active NFFE)

An NFFE will be regarded as an Active NFFE if it meets any one of the following:

- i. Less than 50 per cent of the NFFE's gross income for the preceding calendar year or other appropriate reporting period is passive income and less than 50 per cent of the assets held by the NFFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;
- ii. The stock of the NFFE is regularly traded on an established securities market or the NFFE is a Related Entity of an Entity the stock of which is traded on an established securities market;
- iii. The NFFE is organised in a US Territory and all of the owners of the payee are bona fide residents of that US Territory;
- iv. The NFFE is a non-US government, a government of a US Territory, an international organisation, a non-US central bank of issue, or an Entity wholly owned by one or more of the foregoing;
- v. Substantially all of the activities of the NFFE consist of holding (in whole or in part) the outstanding stock of, and 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, 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;
- vi. The NFFE 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 NFFE shall not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFFE;
- vii. The NFFE 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;
- viii. The NFFE 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
- ix. The NFFE meets all of the following requirements:
 - ▶ It is established and maintained in its country of residence exclusively for religious, charitable, scientific, artistic, cultural, or educational purposes;
 - ▶ It is exempt from income tax in its country of

residence;

- ▶ It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- ▶ The applicable laws of the Entity's country of residence or the Entity's formation documents do not permit any income or assets of the Entity 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 Entity's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the Entity has purchased; and
- ▶ The applicable laws of the Entity's country of residence or the Entity's formation documents require that, upon the Entity'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 Entity's country of residence or any political subdivision thereof.

Agreement

This means the agreement between the Government of Ireland and the Government of the United States of America to Improve International Tax Compliance and to Implement FATCA.

Certified Deemed Compliant Foreign Financial Institution

A foreign financial institution which meets certain criteria is referred to as a deemed compliant foreign financial institution. Categories of certified deemed compliant financial institution, as listed in the Agreement, include:

- i. Non-Profit Organisations
- ii. Local Client Base Financial Institution.
- iii. Certain Collective Investment Vehicles; i.e.
 - ▶ Where all of the interests in a collective investment vehicle (including debt interests in excess of \$50,000) are held by or through one or more Financial Institutions that are not Non-Participating Financial Institutions, the reporting obligations of any Investment Entity (other than a Financial Institution through which interests in the collective investment vehicle are held) will be deemed fulfilled with respect to interests in the collective investment vehicle.

Categories of certified deemed compliant financial institution, as listed in the U.S regulations, include:

- i. Non registering local banks,
- ii. Financial Institutions with only low value accounts,
- iii. Sponsored closely held investment vehicles,
- iv. Limited Life debt investment entities,
- v. Owner Documented Financial Institutions,
- vi. Certain Investment Advisors and
- vii. Investment Managers who do not maintain Financial Accounts

Depository Institution

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

Excepted Foreign Financial Institution (Excepted FFI)

The term Excepted FFI refers to the following types of entities which are excluded from the FFI definition;

- i. Holding companies engaged in non-financial business
- ii. Start-up companies for non-financial business
- iii. Liquidating or reorganizing non-financial entities
- iv. Group hedge/financial company which is non-financial and restricted to affiliates
- v. Organised in U.S. Territory

Excepted Non-Financial Foreign Entity (Excepted NFFE)

The term Excepted NFFE refers to;

- i. Any corporation the stock of which is regularly traded on one or more established securities market (and certain affiliates thereof);
- ii. Any territory entity organized under the laws of a U.S. possession and is directly or indirectly, wholly owned by 1 or more bona fide residents of the possession;
- iii. Any entity that is an active NFFE; or
- iv. Other entities that are excepted NFFEs; i.e. (i) certain non-financial holding companies (ii) certain start-up companies (iii) non-financial entities that are liquidating or emerging from reorganisation or bankruptcy (iv) IRC Section 501(c) entities (other than certain insurance companies) (v) non-profit organisations

Exempt Beneficial Owner

The term “Exempt Beneficial Owner” means

- i. The Irish Government, any political subdivision of the Irish Government or any wholly owned agency or instrumentality of any one or more of the foregoing including: The National Treasury Management Agency, The National Pensions Reserve Fund and the National Pensions Reserve Fund Commission, and, The National Asset Management Agency;
- ii. The office in Ireland of any institution of the European Union, of the European Investment Bank, the European Bank for Reconstruction and Development, or of any organisation to which the Diplomatic Relations and Immunities Acts 1967 – 2006 apply;
- iii. a Central Bank; or
- iv. A pension trust and any other organisation, as referred to in Article 4(1)(c) (Residence) of the Convention, established in Ireland and maintained exclusively to administer or provide retirement or employee benefits.

Foreign Financial Institution (FFI)

A FFI refers to an foreign entity that;

- i. Accepts deposits in the ordinary course of a banking or similar business (banks, credit unions),
- ii. Holds financial assets for the account of others as a substantial portion of its business (brokerages, custodians), or
- iii. Is engaged (or holding itself out as being engaged) primarily in the business of investing, reinvesting, or trading in securities, partnership interests, commodities, or any interest (including a futures or forward contract or option) in such securities, partnership interests, or commodities (mutual funds, private equity funds, hedge funds).
- iv. Is a Specified Insurance Company.

Global Intermediary Identification Number (GIIN)

The term GIIN refers to an identification number that is assigned to certain financial institutions by the U.S. Internal Revenue Service.

Investment Entity

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:

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

Local Client Base Financial Institution

This category applies to financial institutions that meet the following criteria (a) licensed and regulated under the laws of the Republic of Ireland (b) have no fixed place of business outside of the Republic of Ireland (c) do not solicit account holders outside of Ireland. For the full list of criteria please refer to Section II, Paragraph B of Annex II of the Agreement.

Non-Financial Foreign Entity (NFFE)

An “NFFE” means any Non-U.S. Entity that is not a foreign financial institution as defined in relevant U.S. Treasury Regulations, and also includes any Non-U.S. Entity that is resident in Ireland or other partner jurisdiction and that is not a Financial Institution.

Non-Participating Foreign Financial Institution

The term “Non-Participating Foreign Financial Institution” means a Financial Institution that is not participating in FATCA.

Non-Profit Organisation

The term “Non-Profit Organisation” refers to;

- i. Charitable organisations approved in accordance with section 848A and Schedule 26A of the Taxes Consolidation Act 1997
- ii. A body established for the promotion of athletic or amateur games or sports that has been granted exemption from tax in accordance with section 235 of the Taxes Consolidation Act 1997 by the Revenue Commissioners.

Participating Foreign Financial Institution

Some countries have not entered into an agreement for automatic exchange of information with the US. A Participating Foreign Financial Institution is a financial institution resident in such a country which has directly entered into an agreement with the Internal Revenue Service (IRS) in the U.S. to identify U.S. account holders and report on their accounts.

Partner Jurisdiction Financial Institution (including Irish Financial Institution)

The term “Partner Jurisdiction Financial Institution” means (i) any Financial Institution that is resident in a jurisdiction that has in effect an agreement with the United States to facilitate the implementation of FATCA, but excludes any branch of that Financial Institution that is located outside such jurisdiction.

Passive Non-Financial Foreign Entity (Passive NFFE)

A “Passive NFFE” means any NFFE that is not (i) an Active NFFE or (ii) a withholding foreign partnership or withholding foreign trust, pursuant to relevant U.S. Treasury Regulations.

Registered Deemed Compliant Foreign Financial Institutions

The Financial Institutions falling within this category are not included as Deemed Compliant Foreign Financial Institutions under the Agreement. However the institutions are regarded as Registered Deemed Compliant Foreign Financial Institutions under the U.S. Regulations. Categories include:

- i. Non-reporting members of a group of related Participating Foreign Financial Institutions,
- ii. Restricted funds,
- iii. Qualified credit card issuers,
- iv. Sponsored investment entities, or
- v. Controlled foreign corporations.

Specified U.S. Person

The term “Specified U.S Person” means a U.S. Person, other than: (i) a corporation the stock of which is regularly traded on one or more established securities markets; (ii) any corporation that is a member of the same expanded affiliated group, as defined in section 1471(e) (2) of the U.S. Internal Revenue Code, as a corporation described in clause (i); (iii) the United States or any wholly owned agency or instrumentality thereof; (iv) any State of the United States, 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; (v) any organisation exempt from taxation under section 501(a) or an individual retirement plan as defined in section 7701(a)(37) of the U.S. Internal Revenue Code; (vi) any bank as defined in section 581 of the U.S. Internal Revenue Code; (vii) any real estate investment trust as defined in section 856 of the U.S. Internal Revenue Code; (viii) any regulated investment company as defined in section 851 of the U.S. Internal Revenue Code or any entity registered with the Securities Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-64); (ix) any common trust fund as defined in section 584(a) of the U.S. Internal Revenue Code; (x) any trust that is exempt from tax under section 664(c) of the U.S. Internal Revenue Code or that is described in section 4947(a)(1) of the U.S. Internal Revenue Code; (xi) 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 United States or any State; or (xii) a broker as defined in section 6045(c) of the U.S. Internal Revenue Code.

U.S. Person

The term “U.S. Person” means a U.S. citizen or resident individual, a partnership or corporation organized in the United States or under the laws of the United States or any State thereof, a trust if (i) a court within the United States would have authority under applicable law to render orders or judgments concerning substantially all issues regarding administration of the trust, and (ii) one or more U.S. persons have the authority to control all substantial decisions of the trust, or an estate of a decedent that is a citizen or resident of the United States. These terms should be interpreted in accordance with the U.S. Internal Revenue Code.

U.S. Territory

The term “U.S. Territory” means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico, or the U.S. Virgin Islands.

CRS Specific Definitions

Active Non-Financial Foreign Entity (Active NFE)

The term "Active NFE" means any NFE that meets any of the following criteria:

- i. 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. 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. 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. 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. the NFE is not yet operating a business and has no prior operating history, but is investing capital into assets with the intent to operate a business other than that of a Financial Institution, provided that the NFE does not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFE;
- vi. 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. 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. the NFE meets all of the following requirements:
 - ▶ 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;

- ▶ it is exempt from income tax in its jurisdiction of residence;
- ▶ it has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- ▶ the applicable laws of the NFE's 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
- ▶ 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 thereof.

Depository Institution

The term "Depository Institution" means any Entity that:

- a) accepts deposits in the ordinary course of a banking or similar business; or
- b) holds Specified Electronic Money Products or Central Bank Digital Currencies for the benefit of customers.

Investment Entity

The term "Investment Entity" means any entity:

- a.) that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:
 - i.) trading in money market instruments (cheques, bills, certificates of deposit, derivatives, etc.); foreign exchange; exchange, interest rate and index instruments; transferable securities; or commodity futures trading;
 - ii.) individual and collective portfolio management; or
 - iii.) Otherwise investing, administering, or managing financial assets, money or Relevant Crypto-Assets on behalf of other persons; or
- b.) the gross income of which is primarily attributable to investing, reinvesting, or trading in financial assets or Relevant Crypto-Assets, if the entity is managed by another entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or an Investment Entity described in (a) above.

An entity is treated as primarily conducting as a business one or more of the activities described in (a), or an entity's gross income is primarily attributable to investing, reinvesting, or trading in financial assets or Relevant Crypto-Assets for purposes of (b), if the entity's gross income attributable to the relevant activities equals or exceeds 50 per cent of the entity's gross income during the shorter of: (i) the three-year period ending on 31 December of the year preceding the year

in which the determination is made; or (ii) the period during which the entity has been in existence. For the purposes of (a)(iii) above, the term “otherwise investing, administering, or managing financial assets, money, or Relevant Crypto-Assets on behalf of other persons” does not include the provision of services effectuating exchange transactions for or on behalf of customers. The term “Investment Entity” does not include an entity that is an Active Non-Financial Entity because it meets any of the criteria in (iv) to (vii) in the definition of Active Non-Financial Entity.

An Investment Entity that is not tax resident in a CRS participating jurisdiction will be considered to be a Passive NFE.

Non-Financial Entity

A Non-Financial Entity is any entity that is not a Financial Institution or an entity that is not a Partner Jurisdiction financial Institution.

Passive Non-Financial Entity (Passive NFE)

A Passive Non-Financial Entity is any Non-Financial Entity that is not an Active Non-Financial Entity.

Participating Jurisdiction

A country that has adopted the Common Reporting Standard and that may have concluded a (multiple) Competent Authority Agreement with the country in which the entity holds the account. For further information please consult:

www.oecd.org/ctp/exchange-of-tax-information/MCAA-Signatories.pdf

General Terms

Controlling Persons

The term “Controlling Persons” means the natural persons who exercise control over an Entity. In the case of a trust, such term means the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiaries, and any other natural person(s) 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” must be interpreted in a manner consistent with the Financial Action Task Force Recommendations.

CRS

The OECD Common Reporting Standard (commonly known as ‘CRS’) refers to the standard for the Automatic Exchange of Financial Account Information in Tax Matters given legislative effect by the Republic of Ireland under Section 891F of the Taxes Consolidation Act 1997.

Custodial Institution

The term “Custodial Institution” means any entity that holds, as a substantial portion of its business, financial assets for the accounts of others. A substantial portion 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 the account period) prior to the year in which the determination is being made, and
- ii. The period during which the entity has been in existence.

FATCA

The Foreign Account Tax Compliance Act (commonly known as ‘FATCA’) contained in the US Hire Act 2010 and given legislative effect by the Republic of Ireland under Section 891E of the Taxes Consolidation Act 1997 and subsequent regulations

Financial Institution

The term “Financial Institution” means a Custodial Institution, a Depository Institution, an Investment Entity, or a Specified Insurance Company as defined in the tax regulations.

Passive Income

The term “Passive Income” refers generally to the portion of gross income that consists of: dividends (including substitute dividend payments); interest; income equivalent to interest; rents and royalties (other than those derived in the active conduct of a trade or business conducted, at least in part, by employees); annuities; net gains from the sale of property that gives rise to passive income; net gains from certain transaction in commodities; net foreign currency gains; net gains or income derived from Relevant Crypto-Assets; net income from notional principal contracts; amounts received under cash value insurance contracts; and amounts received by an insurance company in connection with its reserves for insurance and annuity contracts.

Related Entity

An entity is a Related Entity of another entity if either entity controls the other entity, or two entities are under common control. For this purpose control includes direct or indirect ownership of more than 50 per cent of the vote and value in an entity.

Specified Insurance Company

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.

Tax Regulations

The term ‘Tax Regulations’ refers to regulations created to enable automatic exchange of information and include the Foreign Account Tax Compliance Act (FATCA) and the OECD Common Reporting Standard (CRS), as given legislative effect in the Republic of Ireland by inclusion in Section 891E and Section 891F of the Taxes Consolidation Act 1997.

TIN

The term TIN” means the entity or individual’s Tax Identification Number.



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