

FATCA / CRS

1. FATCA Reportable Persons

Taking into consideration the U.S. Regulations, all Foreign Financial Institutions (“FFIs”) will need to comply with the Foreign Account Tax Compliance Act (“FATCA”). In accordance to FATCA, Key Way Markets Limited, as an FFI, is required to disclose information in relation to our US reportable persons.

All US reportable persons will need to notify the FFI accordingly, so as to be able to comply with the FATCA regulations.

1.1. Definition of US reportable person:

- a. A U.S. citizen (including dual citizen)
- b. A U.S. resident alien for tax purposes
- c. A domestic partnership
- d. A domestic corporation
- e. Any estate other than a foreign estate

Any trust if:

- a. A court within the United States is able to exercise primary supervision over the administration of the trust, and
- b. One or more United States persons have the authority to control all substantial decisions of the trust
- c. Any other person that is not a foreign person.

Please go through the **declaration** below to provide your agreement or not:

- a. I am not a U.S. citizen (including dual citizen) or resident
- b. My birthplace is not in the U.S.
- c. I do not have a current U.S. mailing or residence address (including a U.S. post office box or U.S. “in-care-of” address)
- d. I do not have a current U.S. telephone number
- e. I do not have standing instructions to transfer funds to an account maintained in the United States
- f. I do not have currently effective power of attorney or signatory authority granted to a person with a U.S. address
- g. I do not have an “in-care-of” or “hold mail” address that is the sole address for the Account Holder. The Investor needs to note that in the case of a Preexisting

Individual Account that is a Lower Value Account, an “in-care-of” address outside the United States is not to be treated as U.S. indicia.

h. I do not possess a U.S. TIN (hereafter “Tax Identification Number”).

1.2. CRS Reportable Persons

Regulations based on the OECD Common Reporting Standard (“CRS”) requires Key Way Markets Limited to collect and report certain information about account holders’ tax residences. Account holders may be either individuals or entities.

Individuals

Each jurisdiction has its own rules for defining tax residence. In general, you will find that tax residence is the country/jurisdiction in which you live. Special circumstances may cause you to be resident elsewhere or resident in more than one country/jurisdiction at the same time (dual residency). If you are a U.S. citizen or tax resident under U.S. law, you will go through the Declaration here in the FATCA section of this policy.

If your tax residence (or the account holder, if you are completing the form on their behalf) is located outside U.S., we may be legally obliged to pass on the information in this form and other financial information with respect to your financial accounts, to the Ministry of Finance (MoF) and they may exchange this information with tax authorities of another jurisdiction or jurisdictions pursuant to intergovernmental agreements to exchange financial account information.

As a financial institution, we are not allowed to give tax advice. Your tax adviser may be able to assist you in answering specific questions on this form. Your domestic tax authority can provide guidance regarding how to determine your tax status.

If a TIN is unavailable please provide the appropriate reason A, B or C where indicated below.

You can also find out more, including a list of jurisdictions that have signed agreements to automatically exchange information, along with details about the information being requested, on the OECD automatic exchange of information portal.

Please find below an example of how the form should be completed.

<i>Country/Jurisdiction of tax residence</i>	<i>TIN</i>	<i>If no TIN available enter Reason A, B or C</i>
<i>1. England</i>	<i>XXXX</i>	
<i>2. India</i>		<i>A</i>
<i>3. United Arab Emirates</i>		<i>B</i>

Reason A - The country/jurisdiction where the Account Holder is resident does not issue TINs to its residents

Reason B - The Account Holder is otherwise unable to obtain a TIN or equivalent number (Please explain why you are unable to obtain a TIN in the below table if you have selected this reason)

Reason C - No TIN is required. (Note) Only select this reason if the domestic law of the relevant jurisdiction does not require the collection of the TIN issued by such jurisdiction)

Please explain in the following boxes why you are unable to obtain a TIN if you selected Reason B above.

1.	Temporary Residence

Entities

If an account with our Company is being opened on behalf of an Entity, the Entity will have to certify its tax residence as well as for its Controlling Persons (where applicable). If the Entity certifies that it has no residence for tax purposes, the Company may rely on the address of the principal office of the Entity to determine the residence of the Account Holder.

The Entity will be required to submit executed CRS self-certification forms to allow the Company to determine whether the Account Holder is:

- (i) a UAE Reportable Financial Institution or other Partner Jurisdiction Financial Institution;
- (ii) a Non-Reporting Financial Institution; or
- (iii) an Active Non Financial Entity (NFE) or Passive NFE

All the below questions are mandatory for all clients during the account opening registration process and include the information necessary for CRS reporting:

Part 1 – Entity Identification

- the name of the company
- the country of its incorporation
- the head offices address
- the names and the identification information of the Beneficial Owners
- the names and the identification information of the directors
- the names and the identification information of the authorised signatories
- financial information
- the ownership structure of the group that the Client-legal person may be a part of (country of incorporation of the parent company, subsidiary companies and associate companies, main activities and financial information).

Part 2 – Entity Type

1. Is the Entity a Custodial Institution?
2. Is the Entity a Depository Institution?
3. Is the Entity an Insurance Company?

4. Is the Entity an Investment Entity:

- (i) in a Non-Participating Jurisdiction and managed by another Financial Institution? or
- (ii) Other Investment Entity?

5. Is the Entity an Active NFE? (Non-Financial Entity):

- (i) 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?
- (ii) A Government Entity or Central Bank?
- (iii) An International Organisation?
- (iv) Any other type of Active NFE?

6. Is the Entity a Passive NFE? (Non-Financial Entity)

If the Entity responds yes to 4(i) or 6, it shall need to provide information on any Controlling Persons, including tax residency, TIN for each of the Controlling Persons and type of Controlling Person.

The Controlling Person means the natural persons who exercise control over and Entity. In the case of a trust, that 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.

The Self-Certification together with the corporate documents collected must allow the determination of the tax residence/tax residences of the client and of all reportable persons.

Passive NFE

In the case where a client is identified as a Passive NFE with one or more Controlling Persons, the Company will proceed to determine the residence of such persons based on the information provided by the client. If any of the Controlling Persons of the Passive NFE is a Reportable Person, then the account shall be treated as a Reportable Account. In making these determinations the Company shall follow the below in the order most appropriate under the circumstances:

(a) Determining whether the Account Holder is a Passive NFE

For purposes of determining whether the Account Holder is a Passive NFE, the Company will rely on a self-certification from the Account Holder to establish its status as described above, unless it has information in its possession or that is publicly available, based on which it can reasonably determine that the Account Holder is an Active NFE or a Financial Institution other than an Investment Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial 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 as per A.(6)(a) of Part 8 of the UAE CRS Regulations that is not a Participating ADGM Financial Institution.

(b) Determining the Controlling persons of an Account Holder

For purposes of determining the Controlling Persons of an Account Holder, the Company will rely on information collected and maintained pursuant to AML/KYC Procedures.

(c) Determining the residence of a Controlling Person of a Passive NFE

For purposes of determining the residence of a Controlling Person of a Passive NFE, the Company will rely on a self-certification from the Account Holder or such Controlling Person.

For the purposes of determining whether a Controlling Person of a Passive NFE is a Reportable Person, the Company may only rely on a self-certification from either the Account Holder or the Controlling Person.

In case you are in agreement with the above declaration, thank you for your time and assistance in this process, you are now one step closer to trading with our Company.