

# CERTIFICATION REGARDING BENEFICIAL OWNERS OF LEGAL ENTITY CUSTOMERS

## I. GENERAL INSTRUCTIONS

### What is this form?

To help the government fight financial crime, Federal regulation requires certain financial institutions to obtain, verify, and record information about the beneficial owners of legal entity customers. Legal entities can be abused to disguise involvement in terrorist financing, money laundering, tax evasion, corruption, fraud, and other financial crimes. Requiring the disclosure of key individuals who own or control a legal entity (i.e., the beneficial owners) helps law enforcement investigate and prosecute these crimes.

### Who has to complete this form?

This form must be completed by the person authorized to act on behalf of a legal entity with any of the following U.S. financial institutions: (i) a bank or credit union; (ii) a broker or dealer in securities; (iii) a mutual fund; (iv) a futures commission merchant; or (v) an introducing broker in commodities. Completion of this form is required pursuant to certain events including, but not limited to, new account openings, periodic account reviews and changes to the Beneficial Owner and Control Party information in the previously provided form.

For the purposes of this form, a **legal entity** includes a corporation, Limited Liability Company, or other entity that is created by a filing of a public document with a Secretary of State or similar office, a general partnership, and any other similar business entity formed in the United States or a foreign country. Legal entity does not include sole proprietorships, unincorporated associations, or natural persons opening accounts on their own behalf.

### What information do I have to provide?

This form requires you to provide the name, date of birth, address, and Social Security number (or passport number or other similar information, in the case of foreign persons) for the following individuals (i.e., **the beneficial owners**):

- (i) Under the Ownership Prong, each individual, if any, who owns, directly or indirectly, 25 percent or more of the equity interests of the legal entity customer (e.g., each natural person that owns 25 percent or more of the shares of a corporation); **and**
- (ii) Under the Control Prong, a single individual (natural person) with significant responsibility to control, manage or direct a legal entity customer, including an executive officer or senior manager or any other individual who regularly performs similar functions. (e.g., a Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President or Treasurer).

The number of individuals that satisfy this definition of “beneficial owner” may vary. Under section (i), depending on the factual circumstances, up to four individuals (but as few as zero) may need to be identified. Regardless of the number of individuals identified under section (i), you must provide the identifying information of one individual under section (ii). It is possible that in some circumstances the same individual might be identified under both sections (e.g., the President of Acme, Inc. who also holds a 30% equity interest). Thus, a completed form will contain the identifying information of at least one individual (under section (ii)), and up to five individuals (i.e., one individual under section (ii) and four 25 percent equity holders under section (i)).

The financial institution may also ask to see a copy of a driver's license or other identifying document for each beneficial owner listed on this form.

**NOTE:** The following legal entity customers are only subject to the Control Prong of the beneficial ownership requirement, either because ownership interests tend to fluctuate or because they do not exist:

- A Pooled Investment Vehicle that is operated or advised by a financial institution that is not an Excluded Legal Entity (such as non-U.S. managed mutual funds, hedge funds and private equity funds); and
- Any legal entity that is established as a nonprofit corporation or similar entity (including a charitable, nonprofit, not-for-profit, nonstock, public benefit or similar corporation) and has filed its organizational documents with the appropriate State authority as necessary.

**II. CERTIFICATION OF BENEFICIAL OWNER(S)**

**Persons authorized to act on behalf of an excluded legal entity shall provide the following information:**

1(a). Name of Legal Entity:

\_\_\_\_\_

1(b). Principal Business Address of Legal Entity:

\_\_\_\_\_

2. The following information for each individual, if any, who, directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise, owns 25 percent or more of the equity interests of the legal entity listed above;

**and**

the following information for one individual with significant responsibility for managing the legal entity listed above, such as:

- An executive officer or senior manager (e.g., Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President, Treasurer); or
- Any other individual who regularly performs similar functions.

**(Note: If appropriate, an individual can be identified as both an “owner” and “control party”).**

**If there are no owners (natural persons) which own 25% or more of the equity interest of the legal entity listed above, please check here:**

<b>Owner/Control Party:</b> Check the appropriate box(es)	<b>Name/Title<sup>2</sup></b>	<b>Date of Birth</b> (MM/DD/YYYY)	<b>Address</b> (Residential or Business Street)	<b>For U.S. Persons:</b> Social Security Number (SSN)	<b>For Non-U.S. Citizens:</b> SSN/ITIN*, or Passport Number and Country of Issuance, or other similar identification number! <small>* A non-U.S. citizen holding a SSN/ITIN must provide their SSN/ITIN.</small>
<input type="checkbox"/> Owner <input type="checkbox"/> Control Party					
<input type="checkbox"/> Owner <input type="checkbox"/> Control Party					
<input type="checkbox"/> Owner <input type="checkbox"/> Control Party					
<input type="checkbox"/> Owner <input type="checkbox"/> Control Party					
<input type="checkbox"/> Control Party					

This form also requires you to provide a copy of a valid driver's license, passport or other similar identifying document for each owner and/or control party listed on this form, unless previously provided. The identification documents will be reviewed for verification purposes only.

I, \_\_\_\_\_ (name of person authorized to act on behalf of the legal entity) hereby certify, to the best of my knowledge, that the information provided above is complete and correct. In the event of changes to the information in this form, I agree to notify the bank and provide the updated information.

Signature: \_\_\_\_\_

Date (MM/DD/YYYY): \_\_\_\_\_

Title: \_\_\_\_\_

<sup>1</sup> In lieu of a passport number non-U.S. persons may also provide an alien identification card number, or number and country of issuance, date of issuance and expiration date of any other government-issued document evidencing nationality or residence and bearing a photograph or similar safeguard.

<sup>2</sup> For Owner, please provide the Name of the owner. For Control Party, please provide Name and Title of one control party.

### III. CERTIFICATION OF EXEMPTION FROM BENEFICIAL OWNER(S) INFORMATION COLLECTION

Under 31 CFR 1010.230(e)(2) following legal entities are excluded from the definition of Legal Entity Customer and for these entities completion of Section II of this Certification Form is not required. Instead, Section III (Certification of Exemption) should be completed:

- U.S. Federally Regulated Financial Institution or State Regulated Bank & Insurance Company
- Company, Exchange, Clearing Agency, Investment Advisor, or any other entity registered with the SEC or CFTC (excludes unregistered hedge funds)
- Publicly-Held Company Traded on Major U.S. Exchanges (or any majority-owned domestic subsidiary thereof)
- Domestic Government Agency and Instrumentality
- Non-U.S. Governmental department, agency or political subdivision that engages only in governmental, rather than commercial activities
- Public Accounting Firm (per the Sarbanes-Oxley Act)
- Personal Trust

**NOTE:** If an account is exempt, then Section III shall be completed in lieu of Section II. Client signature is not required for exemption in Section III but is subject to back office verification and may be returned for client signature if exemption status cannot be verified.

**Persons authorized to act on behalf of an excluded legal entity shall provide the following information:**

1(a). Name of Legal Entity:

1(b). Principal Business Address of Legal Entity:

2. The type of exempt account that will be opened (check only one):

- U.S. Federally Regulated Financial Institution or State Regulated Banks & Insurance Company
- Company, Exchange, Clearing Agency, Investment Advisor, or any other entity registered with the SEC or CFTC (excludes unregistered hedge funds)
- Publicly-Held Company Traded on Major U.S. Exchanges (or any majority-owned domestic subsidiary thereof)
- Domestic Government Agency and Instrumentality
- Non-U.S. Governmental department, agency or political subdivision that engages only in governmental, rather than commercial activities
- Public Accounting Firm (per the Sarbanes-Oxley Act)
- Personal Trust

#### BANK INTERNAL USE ONLY

Exemption verified by:

Print Name and Employee ID

Date