

## Please read these instructions before completing the Self-Certification Document Forms:

For the purposes of the CRS (General Reporting Standard), the norms of Article 39<sup>3</sup> of the Tax Code of Ukraine require from **“PRAVEX BANK” JSC** as a reporting financial institution to collect certain information about the tax residency status of Account Holders and Controlling Persons of Account Holders (see definition in the attachment), who (account holders) are Passive Non-Financial Organizations (NFOs), and to include such information in the reporting on reportable accounts. Each jurisdiction that has joined the multilateral automatic exchange of financial account information has its own rules for determining tax residency and posts them on the OECD automatic information exchange web portal. Most often, the place of tax residency is the state/jurisdiction in which you reside. Under certain circumstances, you may be considered a resident of another country/jurisdiction (outside of the place of residence) or a resident of several countries/jurisdictions at the same time (dual residency).

If the Account Holder is a US tax resident, it is required to indicate this in the self-certification document and if necessary, to complete a IRS W-9 form. For more information on tax residency, please consult your tax advisor or go to the OECD automatic information exchange web portal.

If you (or the Account Holder, if you are filling in the form on their behalf) are a tax resident of a country/jurisdiction other than Ukraine, we may be required to forward the information contained in such self-certification document and other financial information about your financial accounts to the State Tax Service of Ukraine, which may exchange this information with tax authorities of other countries/jurisdictions in accordance with the Multilateral Agreement of Competent Authorities on Automatic Exchange of Information on Financial Accounts.

If you (or the Controlling Person, if you are filling in the form on their behalf) are a tax resident of a country/jurisdiction other than Ukraine, we may be required to forward the information contained in such self-certification document and other financial information on financial accounts of the Passive NFO, for which you act as the Controlling Person, to the State Tax Service of Ukraine, which may exchange this information with tax authorities of other countries/jurisdictions in accordance with the Multilateral Agreement of Competent Authorities on Automatic Exchange of Information on Financial Accounts.

See Attachment below to familiarize yourself with the definitions such as the “Controlling Person”, “Account Holder”, “Passive NFO” and other relevant terms used in the above-mentioned form.

The self-certification document is valid for an indefinite period of time until the circumstances regarding the information provided in the form have changed, including a change in the tax status of the Account Holder or a change in other information required to be specified in such form, which will result in this document being recognized as inaccurate or incomplete. In this case, you must notify us of the changes and submit an updated self-certification document.

You may be held liable for providing us with documents containing inaccurate information.

In accordance with item 118-1.8 of Article 118-1 of the Tax Code of Ukraine, the Account Holder’s intentional submission of CRS self-certification documents regarding itself and/or regarding its Controlling Persons in cases provided for by Article 39<sup>3</sup> of the Tax Code of Ukraine, which contain inaccurate information, resulting in a failure to establish account accountability for the Account Holder and/or for its Controlling Persons is punished by a fine equal to 100 times the minimum wage established by law as of January 1 of the reporting (tax) year. Payment of such penalty does not release the Account Holder from the obligation to provide CRS self-certification documents with accurate information.

**“PRAVEX BANK” JSC** is responsible for the proper performance of duties of the reporting financial institution, which includes the implementation of a proper comprehensive audit of financial accounts, establishing the accountability of accounts, keeping self-certification documents and submitting reports on reportable accounts to the State Tax Service of Ukraine along with complete and accurate information in accordance with the requirements of Article 39<sup>3</sup> of the Tax Code of Ukraine.

In the event of your failure to submit self-certification documents and a failure to notify “PRAVEX BANK” JSC of a change in tax residency status, or a failure to submit within thirty calendar days from the date of receipt of our request for information and/or documents to confirm the status of the Account Holder and the Controlling Person of the Account Holder for taxation purposes, “PRAVEX BANK” JSC has the right to refuse to establish business relations with you, to refuse to provide financial services to you or to refuse to continue providing you with services, which includes unilaterally terminating contractual relations with you. In case of termination of contractual relations with the Account Holder, we return the balance in the account to the Account Holder and are not responsible for any losses incurred by you and related to the termination of contractual relations.

This self-certification document form is designed to collect information in accordance with the requirements of Article 39<sup>3</sup> of the Tax Code of Ukraine.

**Please complete the appropriate Self-Certification Document Form if you are the Account Holder who is:**

**1) Individual or an individual entrepreneur - Self-Certification Document Form\_CRS-I**

For persons who are Account Co-Holders, or if there are several persons who are Account Holders, each person should use a separate self-certification document form.

If you need to submit a self-certification document on behalf of the Account Holder - Organization, submit an Organization Self-Certification Document Form (**CRS - E**). If you are a Controlling Person of an organization, please submit a Controlling Person's Organization Self-Certification Document (**CRS - CP**).

**If you are completing this form on behalf of another person**, please indicate in Part 3 on which legal basis you are signing this self-certification document (for example, as a representative by proxy). On behalf of the minor Account Holder, the form is submitted by their legal representative.

## **2) Organization – Organization Self-Certification Document Form\_CRS-E**

**If the Account Holder is a Passive NFO or an Investment Company which is not a Financial Institution of the Participating Jurisdiction, and which is managed to by another Financial Institution**, provide information on all natural persons who exercise control over the Account Holder (are Controlling Persons), by completing, in addition to the self-certification document form\_CRS-E, **the Controlling Person Self-Certification Document Form\_CRS-CP** for each Controlling Person.

The above-mentioned information must be provided by all Investment Companies which are not Financial Institutions of one of the Participating Jurisdictions and which are managed by other Financial Institutions.

In part 4, indicate the legal basis on which you are signing this self-certification document (for example, as a director or as a representative by proxy, etc.)

**3) Controlling Person** (if the Account Holder is a Passive NFO or Investment Company, which is not a Financial Institution of the Participating Jurisdiction, and which is managed by another Financial Institution) - **Controlling Person Self-Certification Document Form\_CRS-CP**.

For Account Co-Holders or several persons who are Account Holders, each Controlling Person should use a separate self-certification document form.

If you need to submit a self-certification document on behalf of the Account Holder-Organization, please submit the **Organization Self-Certification Document Form\_CRS-E**.

If you are an Account Holder who is an individual or an individual entrepreneur, please submit the **Self-Certification Document Form for Individuals, Individual Entrepreneurs\_CRS-I**.

**If you are filling in this self-certification document form on behalf of the Controlling Person**, in part 4, indicate on which legal basis you are signing this self-certification document (for example, as an Account Holder-Passive NFO or as a representative by proxy, etc.).

**As a reporting financial institution, we are not authorized to provide you with tax advice, including advising you on how to determine your status for tax purposes.**

Your tax advisor can help you answer questions about the content of the self-certification document form. You can also contact the tax authority of the jurisdiction in which you reside or conduct business (of which you are a resident) to help you determine your tax status.

For more information about the General Reporting Standard (CRS) visit <https://mof.gov.ua/uk/crs-578> and the **OECD** automatic information exchange web portal.

## **Attachment - Summary Descriptions of Selected Terms**

**Note:** Below are given definitions of terms to assist you in completing this self-certification document form.

Further details can be found in the Procedure for applying **the Common Standard on Reporting and Due Diligence for Financial Account Information**.

If you have any questions, please consult your tax advisor or the tax authority of the jurisdiction where you are a resident.

**Account Holder.** The term "Account Holder" means the person designated or identified as the holder of the Financial Account by the Financial Institution maintaining such account. A person, other than a Financial Institution, holding a Financial Account in the interests or for the benefit of another person while acting as an agent, a custodian, a nominee, a signatory, an investment advisor or an intermediary, is not considered to be the Account Holder. In these circumstances that other person is the Account Holder. For example, if one of the child's parents acts on his/ her behalf as a legal representative, the child is considered to be the Account Holder. If the account has several co-holders, each of the co-holders is the Account Holder. In the case of an Insurance Contract with a Redemption Sum or an Annuity Contract, the Account Holder is any person who has the right to access the Redemption Sum or the right to change the beneficiary under the contract. If no person can have the right to access the Redemption Amount or the right to change the beneficiary, the Account Holder is any person named as the holder in the contract, or any person entitled to receive payment according to the terms and conditions of such contract. After the expiration of the Insurance Contract with a Redemption Sum or the Annuity Contract, each person who has the right to receive payment under such contract is considered the Account Holder.

**Organization.** The term "Organization" means a legal person or a legal arrangement, such as a corporation, partnership, trust or foundation.

**Controlling Person.** The term “Controlling Person” means a natural person who exercises control over the Organization. In cases where the Account Holder is an Organization which is a Passive Non-Financial Organization (NFO), the Financial Institution is required to establish whether the Controlling Persons of such Organization are Reportable Persons. The term “Controlling Person” shall be interpreted in a manner consistent with FATF 10 Recommendation (as amended in February 2012). If the account belongs to an Organization, please submit a self-certification document for the controlling person of such organization.

**Controlling Persons of the Trust.** The term “Controlling Persons” in the case of a trust means the settlor(s), trustee(s), protector(s) (if any), beneficiary(ies) or class(es) of beneficiaries and any other natural person(s) exerting decisive influence (control) over the trust. The settlor, manager (trustee), protector (if any), beneficiary(ies) or class(es) of beneficiaries are considered to be Controlling Persons of the trust, regardless of whether they actually exercise decisive influence (control) over the trust operations. Where the settlor of a trust is an Organization it is necessary to identify the Controlling Persons of this Organization, who will be considered the Controlling Persons of the trust. In the case of a legal arrangement other than a trust, the term “Controlling Person” means persons in equivalent or similar positions.

**Financial Account.** The term “Financial Account” means an account maintained by a Financial Institution and includes a Deposit Account, a Custodial Account, a share in the capital or in debt obligations of an Investment Company, an Insurance Contract with Redemption Amount and an Annuity Contract.

**Reportable Account.** The term “Reportable Account” means an account held by one or more Reporting Persons or by a Passive NFO with one or more Controlling Persons, which are Reporting Persons.

### Reporting Person:

1) for individuals - means an individual who is a tax resident of the Reporting Jurisdiction in accordance with the legislation of such Jurisdiction. Persons who are tax residents of two or more jurisdictions have the right to determine residency for tax purposes in accordance with the rules of current international treaties on the avoidance of double taxation.

2) for an organization - means a person of the Reporting Jurisdiction other than:

1. a corporation whose shares are regularly traded on one or more organized securities markets;
2. any corporation that is an Affiliate of the corporation described in clause (1);
3. Government Organization;
4. International Organization;
5. Central Bank; or
6. Financial Institution.

3) for controlling persons – means an individual who is a tax resident of the Reporting Jurisdiction in accordance with the legislation of that Jurisdiction. Most often, the Account Holder is the Reporting Person. However, if the Account Holder is a Passive NFO, the Controlling Person of the Passive NFO, if this person is a resident of a jurisdiction other than Ukraine or the USA, is also the Reporting Person. Persons who are tax residents of two or more jurisdictions have the right to determine their residency for tax purposes in accordance with the rules of current international treaties on the avoidance of double taxation.

**“TIN” (including “functional equivalent”)** The term “TIN” means a Taxpayer Identification Number (or a functional equivalent in the absence of a TIN). A TIN is a unique combination of letters or numbers assigned by a jurisdiction to an individual or an Organization and used to identify the individual or Organization for tax purposes in accordance with tax laws of such jurisdiction. Further details of acceptable TINs can be found at the OECD automatic information exchange web portal.

Some jurisdictions do not issue a TIN. However, these jurisdictions often utilize another highly-protected number with an equivalent level of identification (a “functional equivalent”).

Examples of this type of numbers **for individuals** include a social security/insurance number, identification number/citizen (natural person) code/service code (number) and a resident registration number.

Examples of this type of numbers **for Organizations** include a company/legal entity registration number (code).

**Active NFO.** An Organization is be classified as an Active NFO if it meets any of the following criteria:

1) less than 50% of the NFO’s gross income during the preceding calendar year or another appropriate reporting period is a passive income and less than 50% of the assets held by the NFO during the preceding calendar year or another appropriate reporting period are assets that produce or are held for the production of the passive income;

2) the stock of such NFO is regularly traded on an established securities market or the NFO is a Related Organization of another Organization the stock of which is regularly traded on an established securities market;

3) the NFO is a Governmental Organization, an International Organization, a Central Bank, or an Organization wholly owned by one or more of the above-mentioned entities;

4) all of the activities of such NFO consist in holding (in whole or in part) the outstanding stock of, or providing financing and services to, one or more subsidiaries that engage in businesses other than the business of a Financial Institution, except that an Organization is not treated as an active NFO if it functions (or positions itself) 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 obtain interests in such companies in the form of capital assets for investment purposes;

5) the NFO 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 NFO does not qualify for this exception after the date that is 24 months after the date the NFO was founded;

6) the NFO was not a Financial Institution over the past five years, and is in the process of liquidating its assets or is reorganizing with the intent to continue or resume operations in a business other than that of a Financial Institution;

7) the NFO 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 Organization that is not a Related Organization, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution; or

8) the NFO meets all of the following requirements:

- the NFO was created and operates in Ukraine or another jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, sports or educational purposes; or it was created and operates in Ukraine or another jurisdiction of its residence and is a professional organization, business association, chamber of commerce, trade union, agricultural or horticultural organization, public union, or an organization that operates solely for the purpose of improving social welfare;
- NFO is exempt from income tax in Ukraine or another jurisdiction of residence;
- the NFO has no shareholders or participants who have a property or beneficial interest in its income or assets;
- the relevant laws of Ukraine or another jurisdiction of the NFO's residence or the NFO's founding documents do not allow any NFO's income or assets to be distributed or to be used for the benefit of a private person or Organization that is not charitable, other than within the scope of the NFO's charitable activities, or in connection with the payment of appropriate compensation for services provided, or the payment of the fair market price for the property purchased by the NFO; and
- the relevant laws of Ukraine or another jurisdiction of the NFO's residence or the NFO's founding documents require that, after the liquidation or termination of the NFO, all its assets be transferred to a Government Organization or another non-profit organization, or the transfer of forfeited property to the government of the jurisdiction in which the NFO is located or to any of its political subdivisions.

**Control.** "Control" over the Organization is usually exercised by a natural person (persons), who (who) exerts decisive influence (control) over the Organization's activities. Direct ownership by a natural person of a share of at least 25 percent of the authorized (composite) capital or voting rights of a legal entity is a sign of direct decisive influence over the activity. Signs of exercising indirect decisive influence over the activity include at least ownership by a natural person of a share of at least 25 percent of the authorized (composite) capital or voting rights of a legal entity through related natural or legal persons, trusts or other similar legal entities, or exercising decisive influence through the exercise of the right to control, own, use or dispose of all assets or a share thereof, the right to receive income from the activities of a legal entity, trust or other similar legal entity, the right to have a decisive influence on the formation of the composition, the results of voting by management bodies, as well as the execution of transactions that make it possible to determine the basic conditions of the economic activity of a legal entity, or the activity of a trust or other similar legal entity, to take binding decisions that have a decisive influence on the activity of a legal entity, trust or other similar legal entity, regardless of formal ownership.

**Custodial Institution.** The term "Custodial Institution" means any Organization that keeps (holds), as a substantial portion of its business, Financial Assets for the account of others. The Organization keeps (holds), as a substantial portion of its business, Financial Assets for the account of others, if the Organization's gross income attributable to the keeping (holding) of Financial Assets and related financial services equals or exceeds 20% of the Organization's gross income during the shorter of: (i) the three-year period that ends on 31 December (or on the final day of a non-calendar year reporting period) preceding the year in which the determination is being made; or (ii) the period during which the Organization has been in existence.

**Depository Institution.** The term "Depository Institution" means any Organization that accepts deposits in the ordinary course of a banking or similar business.

**FATCA.** The term “FATCA” stands for the U.S. provisions commonly known as the Foreign Account Tax Compliance Act, which were enacted into U.S. law as part of the Hiring Incentives to Restore Employment (HIRE) Act on March 18, 2010. FATCA creates a new information filing and tax withholding regime for payments made to certain non-U.S. financial institutions and other non-US organizations.

**Investment Company.** The term “Investment Company” includes two types of organizations:

1) The first type of an Investment Company is an Organization that, in the course of its own economic activity, carries out one or more of the following activities or operations for or on behalf of a customer:

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

2) The second type of an Investment Company is any Organization the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets where the Organization is managed by another organization that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of an Investment Company as described in paragraph 1 above.

**The Investment Company is managed by another Financial Institution and is not a Financial Institution of the Participating Jurisdiction.**

An Investment Company is considered to be “managed by another Financial Institution and is not a Financial Institution of the Participating Jurisdiction” if it is an Organization whose gross income is primarily attributable to investing, reinvesting or trading in Financial Assets, and which (1) is controlled by any Financial Institution and (2) is not a tax resident of a Participating Jurisdiction or a separate subdivision located in a Participating Jurisdiction.

**The Investment Company managed by another Financial Institution.** An Organization is considered to be “under the management” by another Organization if this other Organization, directly or indirectly through another service provider, manages any type of activity or operations defined in paragraph 1) of the definition of the “Investment Company” above, on behalf of the Organization which is managed. However, an Organization should not be deemed as the one which manages another Organization unless the former Organization has discretion in taking decisions regarding the management of assets of this latter Organization (in whole or in part). If an Organization is managed by several persons with different legal statuses (Financial Institution, a Non-Financial Organization or a natural person), such Organization is considered to be “managed by an Organization that is a Depository Institution, a Custodial Institution, a Specified Insurance Company or an Investment Company of the first type, if at least one of the persons performing management is a Financial Institution.

**NFO.** The term “NFO” means any Organization that is not a Financial Institution.

**Passive NFO.** The term “Passive NFO” means any of the following Organizations: 1) NFO which is not an Active NFO; or 2) Investment Company of the second type (managed by another Financial Institution) which is not a Financial Institution of the Participating Jurisdiction.

**Related Organization.** An Organization is a “Related Organization” of another Organization if: 1) one of the Organizations controls the other Organization; or 2) both Organizations are under common control; or 3) both Organizations are Investment Companies that are jointly managed by a person performing due diligence duties for such Investment Companies.

For this purpose, control includes direct or indirect ownership of more than 50% of the votes and value of the Organization.

**Non-Reporting Financial Institution.** The term “Non-Reporting Financial Institution” means any Financial Institution that is:

- a Governmental Organization, an International Organization or a Central Bank, with the exception of their payment arising from an obligation in connection with a commercial financial activity of one of the types carried out by a Specified Insurance Company, a Custodial Institution or a Depository Institution;
- a Pension Fund with Wide Participation; Pension Fund with Limited Participation; Pension Fund of a Government Organization, an International Organization or a Central Bank; or a Qualified Credit Card Issuer;
- Exempted Joint Investment Instrument; or
- a trust, provided that the trust manager is a Reporting Financial Institution and submits a reportable account report for all the Trust’s Reportable Accounts.

**Participating Jurisdiction.** The term “Participating Jurisdiction” means any jurisdiction which 1) is a party to the Multilateral Agreement of Competent Authorities on the Automatic Exchange of Information on Financial Accounts, according

to which it is obliged to provide the State Tax Service of Ukraine with the information specified in Section II of the said agreement; and 2) is included in the list of Participating Jurisdictions. The list of Participating Jurisdictions includes jurisdictions for which the Multilateral Agreement of Competent Authorities on Automatic Exchange of Information on Financial Accounts is deemed to have entered into force with respect to Ukraine in accordance with paragraph 1(h) of Section 1 of the Agreement, during the reporting calendar year. The list of Participating Jurisdictions is published on the official website (web portal) of the State Tax Service of Ukraine.

**Reporting Jurisdiction.** The term “Reporting Jurisdiction” means: 1) for the purposes of carrying out due diligence procedures on financial accounts (it is for this purpose that we are obliged to require you to fill in and submit to us this form) - any jurisdiction other than Ukraine and the United States of America; 2) for the purposes of submitting a Reportable Accounts Report for a specific reporting period, any jurisdiction that was included in the list of Reporting Jurisdictions at any time during such reporting period for which a Reportable Accounts Report is submitted. The list of Reporting Jurisdictions includes Participating Jurisdictions to which the State Tax Service of Ukraine is obliged to provide the information defined in Section II of the Multilateral Agreement of Competent Authorities on Automatic Exchange of Information on Financial Accounts. The list of Reporting Jurisdictions is published on the official website (web portal) of the State Tax Service of Ukraine.

**Financial Institution of the Participating Jurisdiction.** The term “Financial Institution of the Participating Jurisdiction” means: 1) any Financial Institution that is a resident of the Participating Jurisdiction, except for any separate subdivision (a branch or a representative office) of such Financial Institution, which is located outside of the Participating Jurisdiction; and 2) any separate subdivision (a branch or a representative office) of the Financial Institution (which is a nonresident of the Participating Jurisdiction), which is located in the Participating Jurisdiction.

**Reporting Jurisdiction Person.** The term “Reporting Jurisdiction Person” means an individual or an Organization that is a resident of a Reporting Jurisdiction under the tax laws of such jurisdiction, or the successor in title of a deceased person who was a resident of such Reporting Jurisdiction. For these purposes, an Organization such as a partnership, limited liability partnership or a similar legal arrangement that is not resident for tax purposes is treated as a resident in the jurisdiction in which its place of effective management is located. If the Organization declares that it does not have the tax resident status in any jurisdiction, it must indicate the address of its head office in a self-certification document form.

Persons who are tax residents of two or more jurisdictions have the right to determine their residence for tax purposes in accordance with the rules of current international treaties on the avoidance of double taxation (if the relevant international treaty applies to such person).

**Resident for tax purposes.** Each jurisdiction has its own rules for establishing tax residency, and jurisdictions posted information on how to determine whether an Organization is a tax resident in a given jurisdiction on the OECD automatic information exchange web portal. Generally, an Organization will be resident for tax purposes in a given jurisdiction if, under the laws of such jurisdiction (including tax conventions), it pays or is liable to pay tax in that jurisdiction by reason of permanent establishment, place of effective management or place of incorporation or by reason of any other criterion of a similar nature, and not only on the basis of the criterion of receipt of income from sources in that jurisdiction. Organizations with dual residence may apply the residence determination rules contained in international conventions (if applicable). An Organization such as a partnership, a limited liability partnership or a similar legal arrangement that has no residence for tax purposes is treated as resident in the jurisdiction in which its place of effective management is situated. For additional information on tax residency, please contact your tax adviser or see the OECD automatic information exchange web portal.

**Specified Insurance Company.** The term “Specified Insurance Company” means any Organization that is an insurance company (or a holding company of an insurance company) that issues or is obligated to make payments under an Insurance Contract with a Redemption Sum or an Annuity Contract.