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Sun Life Malaysia Takaful Berhad\* (689263-M)
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ENTITY SELF-CERTIFICATION
U.S. FATCA AND OECD CRS

PLEASE READ BEFORE COMPLETING THIS FORM

Tax law<sup>1</sup> requires that we collect certain information about each Account Holder's tax residency and Entity classification.

- Complete this form if the Account Holder is a corporation, trust, partnership, association or other organisation.
Do not use this form if the Account Holder is an Individual.
You are required to complete all relevant sections in relation to all known accounts held with Sun Life Malaysia Assurance Berhad and Sun Life Malaysia Takaful Berhad...
This Entity Self-Certification form is for the purpose of documenting your status under U.S. FATCA, and OECD CRS.
If any of the information provided on this form changes, you are required to provide a new updated Self-Certification form within 30 days of a change in circumstances.
If you are completing this form on the Account Holder's behalf, then you should indicate the capacity in which you have signed in Part 6.
For definitions of select terms used in Part 4 (U.S. FATCA) of this Entity Self-Certification, see Appendix 1. For definitions of select terms used in Part 5 (OECD CRS) of this Entity Self-Certification, see Appendix 2.

PLEASE NOTE:

We recommend that you consult your tax advisor in completing this form. Sun Life Malaysia cannot provide any tax advice to you. The supporting notes and definitions are provided for reference and informational purposes only and do not constitute tax advice.

1 Tax law includes, but is not limited to, the Agreement between the Government of the United States of America and the Government of FATCA Partner for the Cooperation to Facilitate the Implementation of FATCA ("U.S. FATCA") and OECD Common Reporting Standard ("OECD CRS") implementing legislation in Partner Jurisdiction and/or regulations.

PART 1: ENTITY ACCOUNT HOLDER DETAILS

1. Legal name of Entity Account Holder [Grid]

2. Account number(s)/Policy or certificate number(s) to which this Certification applies [Grid]

3. Country of incorporation or Country under which the Entity Account Holder is created, organised or governed [Grid]

4. Permanent (registered) address (Do not use a P.O. box or an 'in care of address', unless it is the sole address of the Account Holder) Number, Street, Floor, Suite [Grid]

City, State, Province, Region [Grid]

Postcode [Grid] Country (Do not abbreviate) [Grid]

If a P.O. Box or in care of address is provided in above section, please check this box to confirm this is the registered address of the Account Holder [ ]

5. Mailing address (if different from above) Number, Street, Floor, Suite [Grid]

City, State, Province, Region [Grid]

Postcode [Grid] Country (Do not abbreviate) [Grid]

Version 1.0 May 2018

**PART 2: INTERMEDIARIES**

**Intermediary.** The term “Intermediary” refers to a person or more typically a financial institution acting in the capacity of a custodian, broker, nominee or an agent for another person. An intermediary is holding a financial account other than for its own benefit.

6. Is the Entity named on Line 1 is holding the account/policy/certificate(s) identified on Line 2 for the benefit of another person (each a Beneficial Owner) in the capacity as an agent, custodian, nominee or intermediary?.....  Yes  No  
*If your answer is “No”, skip to Part 3. If your answer is “Yes”, complete Line 7.*
7. If the answer to Question 6 is “Yes,” are you a Financial Institution?.....  Yes  No  
*If your answer is “No”, please provide an Individual or Entity self-certification form with respect to each Beneficial Owner that you act in the capacity of as an agent, custodian, nominee, signatory or intermediary.*

**PART 3: TAX RESIDENCY**

**Residence for tax purposes.** An entity will be a tax resident in a jurisdiction if under the laws of the jurisdiction (including applicable tax treaties) the entity pays or should be paying tax, or for a fiscally transparent entity (e.g., partnerships, flow-through entities, and certain disregarded entities), files or should be filing a tax return by reason of:

- a. Country of domicile (home for legal purposes, registered or permanent address);
- b. Country of incorporation, organisation or formation;
- c. Country of business activity (place it conducts or carries on business);
- d. Country of Permanent Establishment (tax treaty PE);
- e. Country of Effective management (principal office/place where key or central management decisions are made or control is exercised);
- f. Other criterion that applies under the laws of the applicable jurisdiction(s).

If an entity is not a tax resident in any jurisdiction because the entity is fiscally transparent, such as a partnership, limited liability partnership or similar legal arrangement, please provide the entity’s place of effective management or country in which its principal office is located as its jurisdiction of residency. A trust is treated as resident where one or more of its trustees is resident.

An entity may be deemed a resident in more than one jurisdiction based on a jurisdiction’s tax residency rules. In certain circumstances, an entity may be able to apply the tiebreaker rules contained in a tax treaty applicable to the entity in order to resolve questions of multiple tax residences.

For additional information on determining tax residence, please consult your tax advisor.

**Instructions.** Please complete the following table indicating (i) where the Account Holder is a tax resident based on the above criteria and (ii) the taxpayer identification number (TIN) for each jurisdiction the Account Holder is a tax resident (defined below).

If the Account Holder is a tax resident in more than three jurisdictions, please use a separate sheet of paper. Please sign, date and attach each additional sheet of paper to this form.

If the entity’s TIN is unavailable, please indicate one of the following reasons:

- **Reason A** – The country where the Account Holder is liable to pay tax does not issue TINs.
- **Reason B** – The Account Holder has applied for a TIN or equivalent number. *If you select Reason B, you agree to provide Sun Life Malaysia with your TIN or equivalent number within 15 days of receiving it from the applicable tax authority.*
- **Reason C** – A TIN is not required to be provided on this form. *(Note: Select Reason C only if the tax authority of the jurisdiction of tax residence entered on the table below has enacted local law which does not require a TIN to be provided for purposes of OECD CRS).*
- **Reason D** – The Account Holder has not applied for a TIN or equivalent number or is unable to obtain a TIN or equivalent number. *If you select Reason D, please explain why in the following box.*

**TIN (including “functional equivalent”).** The term “TIN” means 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 entity and used to identify an individual or entity for the purposes of administering the tax laws of such jurisdiction. Some jurisdictions do not issue a TIN. However, these jurisdictions often utilise some other high integrity number with an equivalent level of identification (a “functional equivalent”). Examples of this type of number include a Business/company registration code/number. Further details of acceptable TINs can be found at the following link: [OECD Automatic Exchange](#). For additional information on TINs or functional equivalents, please talk to your tax advisor.

8. Jurisdictions of tax residence (For basis of tax residence indicate reason (a) to (f) above. If you have indicated reason (f) please also describe the criterion that applies under the laws of the applicable jurisdiction(s))		TIN (the Tax Identification Number or equivalent number reflected on government income tax forms filed in the applicable jurisdiction. Enter the TIN in the exact format as required on government tax forms)	If no TIN is available enter Reason A, B, C, or D as provided in the instructions below (and if you select Reason B or D, please provide an explanation)	Effective date	Termination date (if any)
	Jurisdictions	Reason			
i)					
ii)					
iii)					

9. Please check this box to confirm the tax residence(s) provided stated above include all jurisdictions of tax residence applicable to the Account Holder.....

**PART 4: U.S. FATCA ENTITY CLASSIFICATION**

10. (a) Is the Account Holder identified on Line 1 a U.S. Person (see Appendix 1 for definition of U.S. Person)? .....  Yes  No  
*If you selected "Yes", complete Line 10(b) and then skip to Part 5. If you checked "No", complete the remainder of Part 4.*
- (b) Is the Account Holder a Specified U.S. Person (see Appendix 1 for definition of Specified U.S. Person)?.....  Yes  No  
*If you selected "No" indicate the reason below based on the definition in Appendix 1 AND then skip to Part 5.*

**PART 4(a) – Financial Institutions with or without a GIIN**

11. Please select the Account Holder's U.S. FATCA classification:
- (a) Participating Foreign Institution (PFFI)
  - (b) Reporting Model 1 FFI
  - (c) Reporting Model 2 FFI
  - (d) Registered Deemed -Compliant FFI
  - (e) Sponsored Investment Entity

Please provide the Account Holder's Global Intermediary Identification Number (GIIN)\*:

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12. If you selected (e), "Sponsored Investment Entity", please indicate the name of Sponsoring Entity and its GIIN\*:

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13. If the Account Holder in Part 4(a) Line 11 or Sponsored Entity in Part 4(a) Line 12, does not have a GIIN, please select the reason below:

- (a) An FFI that has applied for a GIIN and has not yet received its GIIN
- (b) Sponsored Entity has applied for a GIIN and has not yet received its GIIN
- (c) Certified Deemed-compliant FFI
- (d) Owner Documented FFI (additional documentation required, which will be requested under separate cover)
- (e) Trustee Documented Trust (indicate Trustee's GIIN\*)   

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- (f) Non-reporting FFI (indicate name of Partner Jurisdiction under which the Account Holder qualifies)   
 \_\_\_\_\_ and applicable  
 IGA Annex II section and type that applies \_\_\_\_\_  
 \_\_\_\_\_
- (g) Non-participating FFI, including Limited FFI
- (h) Non-profit Organisation (indicate type of non-profit in box below)
- (i) Other Financial Institution without a GIIN (indicate type of other financial institution in box below)   
 \_\_\_\_\_

**PART 4(b) Exempt Beneficial Owner (EBO)**

14. Please select the Account Holder's U.S. FATCA classification:
- (a) Entity wholly owned by EBO
  - (b) Model 1 or 2 IGA Annex II EBO
- Type of EBO \_\_\_\_\_
- Name of Partner Jurisdiction where located \_\_\_\_\_
- (c) Other EBO (indicate type)   
 \_\_\_\_\_

**PART 4(c) Non-Financial Foreign Entity (NFFE)**

15. If the Account Holder is an NFFE (i.e., not a Financial Institution or Exempt Beneficial Owner), please select the Account Holder's NFFE classification and provide GIIN.

- (a) Active NFFE - a corporation the stock of which is regularly traded on an established securities market (indicate the name of securities market that the corporation is regularly traded)   
 \_\_\_\_\_

- (b) Active NFFE – an affiliate or Related Entity of the corporation in 15(a) above (indicate the name of the corporation of the Related Entity and the name of the securities market that the corporation is regularly traded)   
 \_\_\_\_\_

- (c) Other Active NFFE (indicate the criterion for classifying the Account Holder as an Active NFFE)   
 \_\_\_\_\_

- (d) Passive NFFE (complete "Annex I – Controlling Person Tax certification for Controlling Persons")

- (e) Direct Reporting NFFE (indicate GIIN\*)

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- (f) Sponsored Direct Reporting NFFE (indicate name and GIIN of Sponsoring Entity\*)

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\* **Note: Please ensure that the name of the entity is an exact match to the name associated with the GIIN on the IRS U.S. FATCA registration website. To confirm, please click here [FATCA FFI List Search and Download Tool](#).**

**PART 5: OECD CRS ENTITY CLASSIFICATION**

Please provide the Account Holder's Status for OECD CRS. Note that the Account Holder's status for OECD CRS purposes does not necessarily coincide with its classification for U.S. FATCA purposes.

16. Financial Institution.....   
*If you checked "Financial Institution" please select the type below*
- a. Investment Entity located in a non-participating jurisdiction under OECD CRS and managed by another Financial Institution. (If you have checked this box, please complete "Annex 1 – Controlling Person Tax Residency Self-Certification" for each Controlling Person of the Account Holder. **NOTE:** If there are no natural person(s) who exercise control of Account Holder then the Controlling Person(s) will be the natural person(s) who hold the position of senior managing official.
  - b. Other Investment Entity
  - c. Other Financial Institution, whether a Reporting or Non-reporting Financial Institution including a Depository Financial Institution, Custodial Institution or Specified Insurance Company

17. Active Non-Financial Entity ("NFE") (See definition in Appendix 2).....

If you checked "Active NFE," please indicate the criterion for classifying the Account Holder as an Active NFE:

- a. A corporation the stock of which is regularly traded on an established securities market or a corporation that is a related entity of such a corporation. If you checked this box. Please complete either (i) or (ii):
  - (i) If the Account Holder is an Active NFE because it is regularly traded on an established securities market, please indicate the name of the established security market on which the stock is regularly traded:

(ii) If the Account Holder is an Active NFE because it is a Related Entity (as defined in Appendix 2) of an Entity that is regularly traded on an established security market, please indicate the name of the Related Entity and the name of the established security market on which the stock is regularly traded:

- b. A Government Entity (including on agency of a Government Entity) or Central Bank
- c. An International Organization
- d. Other Active NFE (other than a-c above), If you checked this box, please indicate type of other Active NFE

\_\_\_\_\_

18. Passive NFE.....

If you checked "Passive NFE," please complete "Annex 1 – Controlling Person Tax Residency Self-Certification" for each Controlling Person of the Account Holder. (See definition of Controlling Person in Appendix 2.)

19. Is the Entity's OECD CRS status in this Part 5 different from the Entity's U.S. FATCA status in Part 4?.....  Yes  No

If you selected "Yes," please indicate below the reason for the difference in classifications.

\_\_\_\_\_

**PART 6: DECLARATION AND SIGNATURE**

I hereby certify that all statements made in this Entity Self-Certification form, including those in Annex I, are, to the best of my knowledge and belief, correct and complete. I agree that I will submit a new Entity Self-Certification form within 30 days if any certification on this Entity Self-Certification form becomes incorrect. I also agree to advise Sun Life Malaysia promptly of any change in circumstances that causes the information contained herein to become incorrect and to provide Sun Life Malaysia with an updated Entity Self-Certification form within 30 days of such change in circumstances.

By signing below, I understand and agree that you may share information that I provided on this Entity Self-Certification form, including other information in Sun Life Malaysia's possession relevant to the tax qualification claimed on this Entity Self-Certification form, with relevant tax authorities in order to meet Sun Life Malaysia's local and foreign tax reporting obligations.

I certify that I am authorised to sign for the Account Holder in respect of all the account(s) to which this form relates.

\_\_\_\_\_   
 Print name as it appear in Part 1

\_\_\_\_\_   
 Signature

Date   -   -

Please indicate the capacity in which you are signing the form (for example 'Authorised Officer').

Capacity \_\_\_\_\_

**ANNEX 1: CONTROLLING PERSON TAX RESIDENCY SELF-CERTIFICATION**

**General Instructions:**

- Please complete this Annex if the Account Holder is a Passive NFFE as defined under U.S. FATCA and/or Passive NFE under OECD CRS. Additionally, complete this Annex I if the Account Holder is an Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution under OECD CRS.
- For definitions of select terms used in this Annex 1, see appendices to this form. For certain terms, you may need to refer to both definitions in Appendix 1 as well as Appendix 2.
- Please provide below the requested information with respect to all Controlling Persons of the Account Holder.
- The Table will remain valid until there is a change in circumstances relating to the information contained in this Annex 1. You must notify Sun Life Malaysia of any change in circumstances in respect of a Controlling Person within 30 days of such change in circumstances and provide a new Annex 1.

**Complete the table on the following page regarding each Controlling Person. In the table, please indicate:**

- The full name and address of each Controlling Person.
- The country where each Controlling Person is a tax resident (*see definition below*).
- The Tax Identification Number (TIN) or functional equivalent for each country that each Controlling Person is a tax resident (*see below*).
- The reason why a TIN is not available (*see below*).
- The date of birth of each Controlling person.
- Place of birth of each Controlling Person (*as required under law*).
- Identify the type of Controlling Person (*see below*).

**Tax Resident.** General, an individual will be resident for tax purposes in a jurisdiction if, under the laws of that jurisdiction (including applicable tax treaties), regardless of whether the individual is required to file a tax return, the individual pays or should be paying tax therein on income from sources without and outside that jurisdiction by reason of the individual's domicile and residence, or any other criterion of a similar nature. Dual residents may rely on the tiebreaker rules contained in a tax treaty applicable to the individual to solve questions of dual tax residences. A resident of a jurisdiction also includes non-citizen individuals of a jurisdiction that hold a permanent resident card. An individual also may be resident of a jurisdiction based on the visa type the individual holds. For additional information on determining tax residence, please consult your tax advisor.

**Tax Identification Number (TIN).** For the definition of Taxpayer Identification Number (TIN), please refer to Part 3 above.

**If a TIN is not available, please provide Reason A, B or C where appropriate:**

- **Reason A** – The country where the Controlling Person is liable to pay tax does not issue TINs.
- **Reason B** – The Account Holder has applied for a TIN or functional equivalent number. *If you select Reason B, you agree to provide Sun Life Malaysia with your TIN or equivalent number within 15 days of receiving it from the applicable tax authority.*
- **Reason C** – A TIN is not required to be provided on this form. (*Note: Select Reason C only if the tax authority of the jurisdiction of tax residence entered in the table does not require a TIN to be provided for purposes of OECD CRS.*)
- **Reason D** – The Controlling Person has not applied for a TIN or equivalent number or is unable to obtain a TIN or equivalent number. *If you select Reason D, please explain why in the following box.*

**Please indicate the Type of Controlling Person as per the following list:**

- **Type A** - Controlling Person of a legal person – control by ownership
- **Type B** - Controlling Person of a legal person – control by other means
- **Type C** - Controlling Person of a legal person – senior managing official
- **Type D** - Controlling Person of a trust – settlor
- **Type E** - Controlling Person of a trust – trustee
- **Type F** - Controlling Person of a trust – protector
- **Type G** - Controlling Person of a trust – beneficiary
- **Type H** - Controlling Person of a trust – other
- **Type I** - Controlling Person of a legal arrangement (non-trust) – settlor-equivalent
- **Type J** - Controlling Person of a legal arrangement (non-trust) – trustee-equivalent
- **Type K** - Controlling Person of a legal arrangement (non-trust) – protector-equivalent
- **Type L** - Controlling Person of a legal arrangement (non-trust) – beneficiary-equivalent
- **Type M** - Controlling Person of a legal arrangement (non-trust) – other-equivalent

**Identification of a Controlling Person:**

- Please check this box if the Entity named in Part 1, Line 1 does not have any Controlling Persons .....
- Complete the Controlling Person information below only if you did not select this box.*

**Controlling Person 1**

First/Given name <input style="width: 100%; height: 20px;" type="text"/>	Family name/Surname <input style="width: 100%; height: 20px;" type="text"/>
Address <input style="width: 100%; height: 20px;" type="text"/> <input style="width: 100%; height: 20px;" type="text"/> <input style="width: 100%; height: 20px;" type="text"/>	
City/Town <input style="width: 100%; height: 20px;" type="text"/>	State/Province/Region <input style="width: 100%; height: 20px;" type="text"/>
Postcode <input style="width: 100%; height: 20px;" type="text"/>	Country (Do not abbreviate) <input style="width: 100%; height: 20px;" type="text"/>
Date of birth <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> - <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> - <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/> <input style="width: 20px; height: 20px;" type="text"/>	Place of birth <input style="width: 100%; height: 20px;" type="text"/>
Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Marital status <input style="width: 100%; height: 20px;" type="text"/>
Nationality <input style="width: 100%; height: 20px;" type="text"/>	

	Country of residence (Do not abbreviate)	Tax ID number (TIN)	TIN Type	Reason TIN not available (A-D)	Effective date	Termination date (if any)
1						
2						
3						



**Controlling Person 4**

First/Given name

Family name/Surname

Address

  
  


City/Town

State/Province/Region

Postcode

Country (Do not abbreviate)

Date of birth

 -  - 

Place of birth

Gender

 Male  Female

Marital status

Nationality

	Country of residence (Do not abbreviate)	Tax ID number (TIN)	TIN Type	Reason TIN not available (A-D)	Effective date	Termination date (if any)
1						
2						
3						

Type of Controlling Person (A-M) \_\_\_\_\_

Is the Controlling Person a U.S. Person (see Appendix 1 for definition of U.S. Person)? .....  Yes  No

Please check this box to confirm that the information provided includes all jurisdictions of tax residence applicable to the Controlling Person .....

**Please include additional Controlling Persons by adding them to a duplicate of this page.**

## APPENDIX 1: DEFINITIONS - U.S. FATCA

### PLEASE NOTE:

Below are select definitions of terms used in this Self-Certification. They are provided to assist you with the completion of this form. They are provided for general information purposes only. For additional information, as well as for terms not defined below, please refer to the Malaysia Intergovernmental Agreement and as applicable the U.S. FATCA Treasury Regulations or <https://www.irs.gov/Businesses/Corporations/Foreign-Account-Tax-Compliance-Act-FATCA>. If you have any questions about the meaning and application of these terms, you should contact your tax advisor.

**Account Holder:** The term "Account Holder" means the Entity named on Line 1 of this form that is the holder of the financial account maintained or to be maintained by Sun Life Malaysia. The Account Holder is without regard to whether it is a flow-through entity. A person, other than a Financial Institution, holding a financial account under U.S. FATCA for the benefit of another person as agent, custodian, nominee, signatory, investment advisor, or intermediary is not treated as holding the account, but such other person is treated as holding the account. The term "Financial Institution" does not include a Financial Institution organised or incorporated in a U.S. Territory. For example, in the case of a parent/child relationship where the parent is acting as a legal guardian, the child is regarded as the Account Holder. With respect to a jointly held account, each joint holder is treated as an Account Holder. In the case of a cash value insurance contract or an annuity contract, the Account Holder is any person entitled to access the cash value or change the beneficiary of the contract. If no person can access the cash value or change the beneficiary, the Account Holder is any person named as the owner in the contract and any person with a vested entitlement to payment under the terms of the contract (including a collateral assignee). Upon the maturity of a cash value insurance contract or an annuity contract, each person entitled to receive a payment under the contract is treated as an Account Holder.

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

- a. Less than 50 percent of the NFFE's gross income for the preceding calendar year or other appropriate reporting period is passive income and less than 50 percent of the assets held by the NFFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;
- b. The stock of the NFFE is regularly traded on an established securities market or the NFFE is a Related Entity of an Entity the stock of which is regularly traded on an established securities market;
- c. The NFFE is organised in a U.S. Territory and all of the owners of the payee are bona fide residents of that U.S. Territory;
- d. The NFFE is a government (other than the U.S. government), a political subdivision of such government (which, for the avoidance of doubt, includes a state, province, country, or municipality), or a public body performing a function of such government or a political subdivision thereof, a government of a U.S. Territory, an international organisation, a non-U.S. central bank of issue, or an Entity wholly owned by one or more of the foregoing;
- e. Substantially all of the activities of the NFFE 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 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;
- f. 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;
- g. 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;
- h. 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;
- i. The NFFE is an "excepted NFFE" as described in relevant U.S. Treasury Regulations; or
- j. The NFFE meets all of the following requirements:
  - (i) 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, labor organisation, agricultural or horticultural organisation, civic league or an organisation operated exclusively for the promotion of social welfare;
  - (ii) It is exempt from income tax in its jurisdiction of residence;
  - (iii) It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
  - (iv) The applicable laws of the NFFE's jurisdiction of residence or the NFFE's formation documents do not permit any income or assets of the NFFE 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 NFFE's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the NFFE has purchased; and
  - (v) The applicable laws of the NFFE's jurisdiction of residence or the NFFE's formation documents require that, upon the NFFE'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 NFFE's jurisdiction of residence or any political subdivision thereof.

**Certified Deemed-compliant FFI:** The term "Certified Deemed-compliant FFI" means an FFI that complies the U.S. Treasury Regulations without the need to enter into an FFI Agreement with the IRS or register with the IRS or obtain a GIIN.

**Control:** The term "Control" means the natural person(s) who ultimately has a controlling ownership interest (typically on the basis of a certain percentage (e.g. 25%)) in the entity. Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the entity will be the natural person(s) who exercises control of the entity through other means. Where no natural person(s) is/are identified as exercising control of the entity (for example where no underlying person has control of greater than 25% of the entity) then generally the Controlling Person is deemed to be the natural person who holds the position of senior managing official.

**Controlling Person:** 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, the trustees, the protector (if any), the beneficiaries or class of beneficiaries, and any other natural person exercising ultimate effective control over the trust, and in the case of a legal arrangement other than a trust, such term means persons in equivalent or similar positions. The term "Controlling Persons" shall be interpreted in a manner consistent with the Financial Action Task Force Recommendations.

**CRS or OECD CRS:** The term "OECD CRS" means the Organisation for Economic Co-operation and Development Common Reporting Standard.

**Custodial Institution:** The term "Custodial Institution" means any Entity that holds, as a substantial portion of its business, Financial Assets for the account of others. This 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 accounting period) prior to the year in which the determination is being made; or (ii) the period during which the Entity has been in existence.

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

**Deemed-compliant FFI:** The term "Deemed-compliant FFI" means an FFI that is treated as having met the requirements of a participating FFI without having to enter into an FFI Agreement. The term Deemed-compliant FFI includes a Registered Deemed-compliant FFI (including a Reporting Model 1 FFI and Reporting Model 2 IGA, Certified Deemed-compliant FFI and an Owner- documented FFI. In addition, "Deemed-compliant FFI" means an FFI that is exempt from due diligence and reporting under Annex II of an Intergovernmental Agreement.

**Disregarded Entity:** The term "Disregarded Entity" means an entity separate from its owner and that is disregarded for tax purposes under the tax rules of its domestic jurisdiction.



**Exempt Beneficial Owner:** The terms “Exempt Beneficial Owner” means an entity that is:

- a. a foreign government
- b. a political subdivision of a foreign government, or a wholly owned agency or instrumentality of any one or more of the foregoing;
- c. an international organisation or a wholly owned agency or instrumentality thereof;
- d. a foreign central bank of issue;
- e. a government of a U.S. Territory;
- f. a treaty-qualified retirement fund;
- g. a broad participation retirement fund;
- h. a narrow participation retirement fund;
- i. a fund formed pursuant to a plan similar to a section 401(a) plan;
- j. an investment vehicle used exclusively for retirement funds;
- k. a pension fund of an exempt beneficial owner; or
- l. an entity wholly owned by exempt beneficial owners.

“Exempt Beneficial Owner” also includes any entity treated as an Exempt Beneficial Owner as defined in Annex II of the Model 1 or 2 IGA.

**Entity:** The term “Entity” means a legal person or a legal arrangement, such as a corporation, trust, partnership, association or other organisation.

**FATCA or U.S. FATCA:** The term “U.S.” FATCA” means the Foreign Account Tax Compliance Act provisions, which was enacted as part of the Hiring Incentives to Restore Employment (HIRE) Act on March 18, 2010.

**FFI Agreement:** The term “FFI Agreement” means an agreement entered into by a PFFI with the U.S. Internal Revenue Service in accordance with U.S. Treasury Regulations §1471-5(d). The term “FFI Agreement” also means an agreement that sets forth the requirements, consistent with an Intergovernmental Agreement, for the Reporting [FATCA Partner] Financial Institution to be treated as complying with the requirements of section 1471(b) of the U.S. Internal Revenue Code.

**FFI:** The term “FFI” means a Financial Institution other than a U.S. Financial Institution (also referred to a Foreign Financial Institution).

**Financial Institution (FI):** The term “Financial Institution” means a “Custodial Institution,” a “Depository Institution,” an “Investment Entity,” or a “Specified Insurance Company.” A trust will be an Investment Entity where (i) the trustee is a Financial Institution; (ii) the trustee (on behalf of the trust) engages a Financial Institution to manage the trust; or (iii) the trustee (on behalf of the trust) engages a Financial Institution to manage the Financial Assets of the trust.

**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:

- a. 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;
- b. Individual and collective portfolio management; or
- c. Otherwise investing, administering, or managing funds or money on behalf of other persons.

**GIIN:** The term “GIIN” means a Global Intermediary Identification Number. A GIIN is the 19-character identification number assigned to an entity that has registered with the IRS for U.S. FATCA purposes.

**Intergovernmental Agreement (IGA):** The term “Intergovernmental Agreement” mean an agreement or arrangement between the U.S. or the Treasury Department and a foreign government or one or more agencies to implement U.S. FATCA. There are two forms of IGA – Model 1 IGA and Model 2 IGA.

**NFFE:** The term “NFFE” means nonfinancial foreign entity. A NFFE is an Entity that is not a Financial Institution. A NFFE is either an Active NFFE or a Passive NFFE.

**Direct Reporting NFFE:** The term “Direct Reporting NFFE” means a NFFE that elects to report information about its direct or indirect substantial U.S. owners to the IRS, has a Global Intermediary Identification Number (GIIN) and meets certain requirements as defined in U.S. Treasury Regulation section 1.1472-1(c)(3).

**Passive NFFE:** The term “Passive NFFE” means an NFFE that is not an “Active NFFE.”

**Non-participating Foreign Financial Institution:** The term “Nonparticipating FFI” or “Nonparticipating FI” means an FFI other than a Participating FFI (PFFI), a Reporting Model 1 IGA FFI, a Reporting Model 2 IGA FFI, a Deemed-compliant FFI, an Exempt Beneficial Owner, a nonreporting partner jurisdiction FI.

**Related Entity:** The term “Related Entity” mean an Entity is related to another Entity if either Entity controls the other Entity, or the two Entities are under common control. For this purpose, control includes direct or indirect ownership of more than 50 percent of the vote or value in an Entity. Notwithstanding the foregoing, either Party may treat an Entity as not a related entity if the two Entities are not members of the same affiliated group, as defined in Section 1471(e)(2) of the U.S. Internal Revenue Code.

**Reporting Model 1 FFI and Reporting Model 2 FFI:** The terms “Reporting Model 1 FFI” and “Reporting Model 2 FFI” mean a Financial Institution with respect to which a non-U.S. government or agency thereof agrees to obtain and exchange information pursuant to a Model 1 or Model 2 IGA, other than a Financial Institution treated as a Nonparticipating Financial Institution under the Model 1 or Model 2 IGA. For purposes of this definition, the terms Model 1 IGA and Model 2 IGA mean an arrangement between the United States or the Treasury Department and a non-U.S. government or one or more agencies thereof to implement U.S. FATCA through reporting by Financial Institutions to (i) such non-U.S. government or agency thereof, followed by automatic exchange of such reported information with the IRS (Model 1); or (ii) the Internal Revenue Service (Model 2).

**Specified Person:** The term “Specified Person” means a Specified U.S. Person.

**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.

**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) of the U.S. Internal Revenue Code 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 U.S. Securities and 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; 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; (xii) a broker as defined in section 6045(c) of the U.S. Internal Revenue Code or (xiii) any tax-exempt trust under a plan that is described in section 403(b) or section 457(g) of the U.S. Internal Revenue Code.

**U.S. Person:** The term “U.S. Person” means (1) A natural person that is a citizen of the United States (a person that is born in the U.S. or whose parent is a U.S. citizen, a person that has been naturalised as a U.S. citizen, or a person born in Puerto Rico, Guam or the U.S. Virgin Islands), a Lawful Permanent Resident (green card holder) of the U.S., or a person deemed a tax resident of the U.S. (either physically present in the U.S. for 31 days during the current year along with having been physically present in the U.S. for at least 183 days over a three-year period that includes the current year or as otherwise defined in an applicable U.S. income tax treaty); (2) any corporation, partnership or other business entity created or organised under the laws of the United States or any political subdivision thereof; or any trust governed by U.S. law, including a foreign trust if a court within the US is able to exercise primary supervision over the administration of the trust, and one or more US persons have the authority to control all substantial decisions of the trust; and (3) any other person determined to be a U.S. Person in accordance with the U.S. Internal Revenue Code and applicable U.S. Treasury Regulations.

## APPENDIX 2: DEFINITIONS - OECD CRS

### PLEASE NOTE:

Below are select definitions of terms used in this Self-Certification. They are provided to assist you with the completion of this form. They are provided for general information purposes only. For additional information, as well as for terms not defined below, please refer to Malaysia OECD legislation and country specific guidance and as applicable the OECD CRS and commentary or <http://www.oecd.org/tax/automatic-exchange/>. If you have any questions about the meaning and application of these terms, you should contact your tax advisor.

**Account Holder:** The "Account Holder" means the Entity named on Line 1 of this form that is the holder of the Financial Account maintained or to be maintained by Sun Life Malaysia. The Account Holder is without regard to whether it is a flow through entity. A person, other than a Financial Institution, holding a Financial Account for the benefit of another person as agent, custodian, nominee, signatory, investment advisor, or intermediary, is not treated as holding the account for purposes of the OECD CRS, but such other person is treated as holding the account. For example, in the case of a parent/child relationship where the parent is acting as a legal guardian, the child is regarded as the Account Holder. With respect to a jointly held account, each joint holder is treated as an Account Holder. In the case of a Cash Value Insurance Contract or an Annuity Contract, the Account Holder is any person entitled to access the Cash Value or change the beneficiary of the contract. If no person can access the Cash Value or change the beneficiary, the Account Holder is any person named as the owner in the contract and any person with a vested entitlement to payment under the terms of the contract. Upon the maturity of a Cash Value Insurance Contract or an Annuity Contract, each person entitled to receive a payment under the contract is treated as an Account Holder.

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

- a. 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;
- b. 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;
- c. the NFE is a Governmental Entity, an International Organisation, a Central Bank, or an Entity wholly owned by one or more of the foregoing;
- d. 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;
- e. the NFE is not yet operating a business and has no prior operating history, (a "start-up NFE") 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;
- f. 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;
- g. 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
- h. the NFE meets all of the following requirements (a "non-profit NFE"):
  - (i) 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;
  - (ii) it is exempt from income tax in its jurisdiction of residence;
  - (iii) it has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
  - (iv) 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
  - (v) 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.

**Note: Certain entities (such as U.S. Territory NFFEs) may qualify for Active NFFE status under U.S. FATCA but not Active NFE status under the OECD CRS.**

**Control:** The term "Control" means the natural person(s) who ultimately has a controlling ownership interest (typically on the basis of a certain percentage (e.g. 25%)) in the entity. Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the entity will be the natural person(s) who exercises control of the entity through other means. Where no natural person(s) is/are identified as exercising control of the entity (for example where no underlying person has control of greater than 25% of the entity) then generally the Controlling Person is deemed to be the natural person who holds the position of senior managing official.

**Controlling Person:** 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 or OECD CRS:** The term "OECD CRS" means the Organisation for Economic Co-operation and Development Common Reporting Standard.

**Custodial Institution:** The term "Custodial Institution" means any Entity that holds, as a substantial portion of its business, Financial Assets for the account of others. This 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 accounting period) prior to the year in which the determination is being made; or (ii) the period during which the Entity has been in existence.

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

**FATCA or U.S. FATCA:** The term "U.S. FATCA" means the Foreign Account Tax Compliance Act provisions, which was enacted as part of the Hiring Incentives to Restore Employment (HIRE) Act on March 18, 2010.

**Entity:** The term "Entity" means a legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation. This term covers any person other than an Individual (i.e. a natural person).

**Financial Institution:** The term "Financial Institution" means a "Custodial Institution," a "Depository Institution," an "Investment Entity," or a "Specified Insurance Company." Please see the relevant country specific guidance and the OECD CRS for further classification definitions that apply to Financial Institutions.

**Investment Entity:** The term "Investment Entity" includes two types of Entities:

- a. An Entity 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 or money on behalf of other persons. Such activities or operations do not include rendering non-binding investment advice to a customer.
- b. The second type of “Investment Entity” (“Investment Entity managed by another Financial Institution”) is any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets where the Entity is managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity.

**Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution:** The term “Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution” means any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets if the Entity is (i) managed by a Financial Institution and (ii) not a Participating Jurisdiction Financial Institution.

**Investment Entity managed by another Financial Institution:** An Entity is managed by another Entity if the managing Entity performs, either directly or through another service provider on behalf of the managed Entity, any of the activities or operations described in clause (i) above in the definition of ‘Investment Entity. An Entity only manages another Entity if it has discretionary authority to manage the other Entity’s assets (either in whole or part). Where an Entity is managed by a mix of Financial Institutions, NFEs or Individuals, the Entity is considered to be managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity, if any of the managing Entities is such another Entity.

**NFE:** An “NFE” means nonfinancial entity. An NFE is any Entity that is not a Financial Institution. An NFE is either an Active NFE or a Passive NFE.

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

- a. a Governmental Entity, International Organisation or Central Bank, other than with respect to a payment that is derived from an obligation held in connection with a commercial financial activity of a type engaged in by a Specified Insurance Company, Custodial Institution, or Depository Institution;
- b. a Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Governmental Entity, International Organisation or Central Bank; or a Qualified Credit Card Issuer;
- c. an Exempt Collective Investment Vehicle;
- d. a Trustee-Documented Trust: a trust where the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported with respect to all Reportable Accounts of the trust; or
- e. any other defined in a countries domestic law as a Non-Reporting Financial Institution.

**Participating Jurisdiction:** The term “Participating Jurisdiction” means a jurisdiction with which an agreement is in place pursuant to which it will provide the information set out in the OECD CRS.

**Participating Jurisdiction Financial Institution:** The term “Participating Jurisdiction Financial Institution” means (i) any Financial Institution that is tax resident in a Participating Jurisdiction, but excludes any branch of that Financial Institution that is located outside of that jurisdiction, and (ii) any branch of a Financial Institution that is not tax resident in a Participating Jurisdiction, if that branch is located in such Participating Jurisdiction.

**Passive NFE:** The term “Passive NFE” means any: (i) NFE that is not an Active NFE; and (ii) Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution.

**Related Entity:** The term “Related Entity” mean an Entity is related to another Entity if either Entity controls the other Entity, or the two Entities are under common control. For this purpose, control includes direct or indirect ownership of more than 50% of the vote and value in an Entity.

**Reportable Account:** The term “Reportable Account” means an account held by one or more Reportable Persons or by a Passive NFE with one or more Controlling Persons that is a Reportable Person.

**Reportable Jurisdiction:** The term “Reportable Jurisdiction” means a jurisdiction with which an obligation to provide financial account information is in place.

**Reportable Jurisdiction Person:** The term “Reportable Jurisdiction Person” mean an Entity that is tax resident in a Reportable Jurisdiction(s) under the tax laws of such jurisdiction(s) - by reference to local laws in the country where the Entity is established, incorporated or managed. An Entity such as a partnership, limited liability partnership or similar legal arrangement that has no residence for tax purposes shall be treated as resident in the jurisdiction in which its place of effective management is situated. As such if an Entity certifies that it has no residence for tax purposes it should complete the form stating the address of its principal office.

**Reportable Person:** The term “Reportable Person” means a “Reportable Jurisdiction Person,” other than:

- a. a corporation the stock of which is regularly traded on one or more established securities markets;
- b. any corporation that is a Related Entity of a corporation described in clause (i);
- c. a Governmental Entity;
- d. an International Organisation;
- e. a Central Bank; or
- f. a Financial Institution (except for an Investment Entity that is a Passive NFE. See definition of “Passive NFE”; above.)

**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.