

Appendix 2A to Order No. 201-IIP dated 10 September 2020

FOR THE BANK CUSTOMER – INDIVIDUAL ENTREPRENEUR

THE INSTRUCTIONS ON COMPLETING SELF-CERTIFICATION FORM TO CONFIRM INDIVIDUAL (CRS – INDIVIDUAL ENTREPRENEUR, for Self-Certification) TAX RESIDENCY STATUS

Dear Customer,

We inform you that on 27 December 2019, the First Deputy Prime Minister of the Republic of Kazakhstan – The Minister of Finance of the Republic of Kazakhstan signed Order No. 1429 in accordance with which the rules and deadlines for submitting information to state revenue bodies by second-tier banks and organizations engaged in certain types of banking transactions, custodians, Central Depository, brokers and (or) dealers who have the right to maintain customer accounts as nominee holders of securities, investment portfolio managers, as well as insurance organizations (hereinafter referred to as the Rules) have been developed in accordance with the Convention on Mutual Assistance in Tax Matters, ratified by the Law of the Republic of Kazakhstan dated 26 December 2014 (hereinafter – the Convention), with subparagraph 2) of Article 24 and paragraph 4 of Article 27 of the Code of the Republic of Kazakhstan dated 25 December 2017 “On taxes and other mandatory payments to the budget”.

In order to comply with the requirements of the legislation of the Republic of Kazakhstan, Eurasian Bank JSC (hereinafter referred to as the Bank) developed the Self-Certification Form confirming the Customer’s tax residency.

Please read these instructions before completing the form.

Why are we asking you to complete this form?

On 6 June 2018, The Chairman of the State Revenue Committee of the Ministry of Finance of the Republic of Kazakhstan (hereinafter – the SRC RK) signed the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information (the Multilateral Agreement).

The Multilateral Agreement is based on Article 6 of the Convention on Mutual Administrative Assistance in Tax Matters, ratified by the Law of the Republic of Kazakhstan dated 26 December 2014 No. 267-V 3PK (hereinafter – the Strasbourg Convention), and ensures implementation of the Common Reporting Standard (CRS) on financial accounts of taxpayers of the countries in the OECD list, at financial institutions worldwide.

This requirement is known as the Common Reporting Standard, or CRS.

For the CRS purposes, the Bank should determine whether you are a “tax resident” in one of the reportable jurisdictions/countries that signed the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information.

Who should complete the CRS Individual Self-Certification Form?

Bank customers individual entrepreneurs should complete this Form.

If you need to self-certify on behalf of an entity (legal person), please complete the Entity Self-Certification Form (CRS-E).

If you're a controlling person of an entity, please complete the Controlling Person Self-Certification Form (CRS – CP).

You can request Self-Certification Forms at any Outlet/Branch, complete the appropriate Form and submit it to any Bank Outlet/Branch.

For joint account holders, each individual will need to complete a copy of the Self-Certification Form.

Even if you have already provided information in relation to the United States Government's Foreign Account Tax Compliance Act (FATCA), you may still need to provide additional information for the CRS as this is a separate regulation.

If you complete the Self-Certification Form for and on behalf of another person on the basis of the relevant documents that give you this right, please attach copies of the following documents (the list is determined in accordance with the requirements of the legislation of the Republic of Kazakhstan), the list of documents can be specified in any Bank Outlet/Branch and will also ensure that you inform the person on whose behalf you act, that you submitted information in accordance with the requirements of the Self-Certification Form to the Bank.

Where to go for further information?

If you have any questions about this form or these instructions please contact Bank Manager at any Bank Outlet/Branch.

The 'Organisation for Economic Co-operation and Development' (OECD) has developed the rules to be used by all governments participating in the CRS and these can be found on the OECD's 'Automatic Exchange of Information' (AEOI) website: www.oecd.org/tax/automatic-exchange/, <http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/>

If you have any questions on how to define your tax residency status, please visit the OECD website or speak to a professional tax adviser, as we are not allowed to give tax advice.

APPENDIX 1. DEFINITIONS

Note:

To help you complete the Form, we recommend that you read definitions of some terms used in the Self-Certification Form.

The notions and definitions are provided pursuant to the OECD document <http://www.oecd.org/tax/automatic-exchange/international-framework-for-the-crs/multilateral-competent-authority-agreement.pdf>

Further details can be found within the OECD Common Reporting Standard for Automatic Exchange of Financial Account Information (OECD Common Reporting Standard or the CRS), such information can be found at the link <http://www.oecd.org/tax/transparency/automaticexchangeofinformation.htm>.

Term
“Account Holder”
means the person listed or identified as the holder of a Financial Account. A person, other than a Financial Institution, holding a Financial Account for the benefit of another person as an agent, a custodian, a nominee, a signatory, an investment advisor, an intermediary, or as a legal guardian, is not treated as the Account Holder. In these circumstances, that other person is the Account Holder. 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.
“Reportable Person”
means Tax resident in Reportable Jurisdiction.
“Reportable Account”
means an account held by one or more Reportable Persons.
“Reportable Jurisdiction”
is a jurisdiction with which an obligation to provide financial account information is in place.
“Participating Jurisdiction”
means a jurisdiction with which an agreement is in place pursuant to which it will provide the information under the CRS.
“Financial Account”
is an account maintained by a Financial Institution and includes: Depository Accounts; Custodial Accounts; Equity and debt interest in certain Investment Entities; Cash Value Insurance Contracts; and Annuity Contracts. With the exception of: 1) accounts opened under the pension fund and annuity agreement; 2) an account opened under an annuity insurance agreement concluded as part of compulsory and voluntary insurance of an employee against an accident in the performance of their labor (official) duties; 3) an account that belongs exclusively to the heirs, if the documentation for such an account includes a copy of the deceased’s will or death certificate; 4) an account opened by a court decision; 5) an account that exists solely because the customer makes a payment that exceeds the balance on the payment card or the amount of another revolving credit; 6) an account intended solely for receiving alimony, pensions, allowances and other social benefits.
“FATCA”
stands for the Foreign Account Tax Compliance provisions, which were enacted into U.S. law.
“IN/TIN/ITIN/SSN/EIN/ATIN/PTIN”
The term “IN” means Taxpayer Identification Number or its functional equivalent TIN/ITIN/SSN/EIN/ATIN/PTIN in the absence of 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 the individual or Entity for the purposes of administering the tax laws of such jurisdiction. Further details of acceptable IN/TIN/ITIN/SSN/EIN/ATIN/PTIN can be found at the following link: http://www.oecd.org/tax/transparency/automaticexchangeofinformation.htm . Some jurisdictions do not issue a IN/TIN/ITIN/SSN/EIN/ATIN/PTIN. However, these jurisdictions often utilize some other high integrity number with an equivalent level of identification (a ‘functional equivalent’). For example, Entity registration code/number.