

## Tax residence self - declaration form for entities (CRS)

Dear Customer,  
 The Common Reporting Standard for Automatic Exchange of Financial Account Information (CRS) provided for in the provisions of law no. 4/2020 "On automatic exchange of financial account information", and Council of Ministers Decision (CMD) No. 613 dated 29.07.2020 "On the Implementing Provisions of Law No. 613" 4/2020" is aimed at reducing tax evasion coming outside the bounds of participating jurisdictions. This standard adopted for implementation by the Albanian State through THE CMD No. 178 dated 09.03.2016 obliges financial institutions in participating countries (including banks in Albania) to identify and report financial accounts held by entities with fiscal residence/residence for tax purposes in one of the participating countries.

To comply with the above mentioned legal framework and to enable the Banka Kombëtare Tregtare sha to comply with the reporting obligations, you must provide/declare complete information about the tax residence of the entity, identification numbers for tax purposes/fiscal code, classification according to tax regulations, as well as information on tax residence/residence for tax purposes about controlling persons, who control directly or indirectly 25% or more of the shares or votes of the entity or in compliance to the provisions of the legal framework for trusts and entities without individual controlling persons, in case the entity is passive NFE or an investment entity established in a non-participating jurisdiction and managed by another financial institution.

**Please consider the following:**

- This form is required to be filled out only for entities by the respective legal representatives.
- Banka Kombetare Tregtare SH.A. (BKT) is not allowed to fill out this form for the subject's name.
- In case data showing a foreign tax residence are submitted or available, the bank has the right to request documentation or additional information in order to verify the tax residence. In case of non-acceptance by the client to fill out this form or to send the additional documentation / information required, BKT may be obliged to refuse to open the account or close the existing account.
- **If the data stated in Section I, II, IV, V change, then the subject shall provide Banka Kombetare Tregtare with a new self-declaration within 90 days.**
- If you have questions related to filling out this form, determining your tax residency or how to classify the subjects please visit the OECD official website or consult a fixed consultant/local tax authorities.

For more information please visit the official website [www.oecd.org](http://www.oecd.org) or <https://www.tatime.gov.al/c/6/455/shkembimi-automatik-i-informacionit>.

**SECTION I: - Entity data (Please fill in the following data correctly with capital letters)**

<b>Legal Name of the subject/branch:</b>	
<b>Place of establishment:</b>	
<b>Address of the entity's tax residence:</b> (You must enter the residence address here)	1. Street:..... 2. City:..... 3. Country:..... 4. Postal Code;.....

**SECTION II - Residence place for tax purposes**

If the entity is a tax resident in other countries, please list these places and list the identification numbers of the subject / tax identification number in these countries.

**If a TIN is not available** - please give the right / correct reason

Country of tax residence	TAX ID/TIN/Tax Identification No.	TAX ID/TIN Unavailable (reasonable explanation only if there is no TIN/Tax Identification Number)
<b>1</b>		
<b>2</b>		
<b>3</b>		

**SECTION III - Classification of the entity under the Tax Compliance Law on Foreign Accounts & CRS (Please select the applicable box only)**

1. If the entity is a Non-Financial Entity (NFE), please select the relevant applicable boxes:

❖ **ACTIVE NON-FINANCIAL ENTITY (Active NFE/NFFE)**

- A. Economic unit carrying out operational activity
- B. Corporation, whose shares are regularly traded in one or more organized securities markets or an affiliated entity.
- C. Government Entity or Central Bank
- D. International Organization
- E. Entity in liquidation
- F. The entity engaged in financing and protection of transactions (Hedge fund) of related entities (Non-FI Group).
- G. The entity created solely for religious, charitable, scientific, artistic, cultural, sports or educational purposes

(If you have selected one of the above options, switch to filling out Section VI)

❖ **PASSIVE NON-FINANCIAL ENTITY (Passive NFE/NFFE)**

- H. Passive NFE/NFFE (non - active) – More information in the attached Annex

(If the Subject is a Passive NFE you must complete Section IV & V)

(If the Entity is a Passive NFE, form W8-BEN-E must also be completed in relation to requirements under FATCA)

2. If the entity is a financial institution, please select the relevant applicable box:

**Reporting Financial Institution**

**Non-Reporting Financial Institution**

**SECTION IV - Identification of Controlling Persons (Please fill in correctly only in cases where the Legal Entity has been identified as NFE/NFFE Passive as in Section III.)**

Name, Surname of the Controlling Person	Country of Fiscal Residence	Tax Identification No./TIN/TAX ID
1.		
2.		
3.		
4.		
5.		

**SECTION V – Identification data required for controlling persons stated in SECTION IV above. (Please fill in the following data with the capital letters.)**

**PERSONI KONTROLLUES (1)**

<b>Father name of the controlling person:</b>	
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<b>Address of the Controlling Person:</b>	1. Street: .....
	2. City: .....
	3. Country: .....
	4. Postal Code: .....
<b>Date of Birth:</b>	___/___/_____
<b>Birthplace:</b>	1. <i>City of Birth:</i> .....
	2. <i>Country of Birth:</i> .....
<b>PERSONI KONTROLLUES (2)</b>	
<b>Father name of the controlling person:</b>	_____
<b>Address of the Controlling Person:</b>	5. Street: .....
	6. City: .....
	7. Country: .....
	8. Postal Code: .....
<b>Date of Birth:</b>	___/___/_____
<b>Birthplace:</b>	3. <i>City of Birth:</i> .....
	4. <i>Country of Birth:</i> .....
<b>PERSONI KONTROLLUES (3)</b>	
<b>Father name of the controlling person:</b>	_____
<b>Address of the Controlling Person:</b>	9. Street: .....
	10. City: .....
	11. Country: .....
	12. Postal Code: .....
<b>Date of Birth:</b>	___/___/_____
<b>Birthplace:</b>	5. <i>City of Birth:</i> .....
	6. <i>Country of Birth:</i> .....

**SECTION VI - Authorization & Signature**

**Authorizations and commitments**

*The account holder acknowledges that any information contained in this self-declaration and any information relating to its current and future financial accounts, including their balance and revenue transactions, may be reported (i) to any authority to which BKT must provide tax information, (ii) to any other party that BKT considers necessary to act in compliance with*

applicable CRS regulations and to prevent possible violations (iii) to the parent company, in the framework of the implementation of obligations arising from CRS near its subsidiaries.

**Declaration and signature**

I confirm that all statements made on this self-declaration form, to my knowledge, are accurate and complete.

I certify that I am the person authorized to sign for the account holder, for all accounts maintained in BKT.

I confirm that the information provided above is true, accurate and complete and declare that I take full responsibility for the information set out above.

**Customer's Legal Representative Signature:** ..... **Date:**     /     /

**SECTION VII – Bank Staff Signature (to be completed from Bank Staff)**

<b>Branch:</b>	
<b>Name, Surname and Signature of the bank staff:</b>	
<b>Branch seal:</b>	

**ANNEX - DEFINITIONS**

**"Controlling Person/Final Beneficiary"** - Control over an entity is generally exercised by the individual (natural person) who owns directly or indirectly a certain percentage (e.g. 25%) of the shares or votes of a legal person or legal organization. If no individual who exercises control through property rights is not identified, then according to the requirements of the CRS the individual holding the position of legal representative/manager of the company should be reported. In case of an entity of trust form, the controlling person will be considered (legal representative, trustee, trustor, beneficiaries).

**"Taxpayer Identification Number"** - The Taxpayer Identification Number is a unique combination of letters or numbers assigned by a jurisdiction to an individual. It is used to identify the individual or entity for the purposes of administration and tax identification. Some jurisdictions do not issue a TIN. However, these jurisdictions often use another equivalent identification number for tax identification effect.  
(Note: For individuals in Albania, social security number will be considered, while for natural and legal persons will be considered NIPT - Identification Number of Taxable Person).

**"Country of Residence for Tax Purposes"** - person may be subject to taxation in more than one country, subject to the laws and regulations of particular countries. Generally speaking, a person's tax residence is that of the person's permanent residence or primary place of residence. However, each country has its own rules for determining the tax settlement. **If you have questions related to the determination of tax residency please visit the OECD official website, consult a fixed consultant or local tax authorities.**<http://www.oecd.org/ctp/exchange-of-tax-information/standart-for-automatic-exchange-offinancial-information-in-tax-matters.htm>

**"NFE"** - Any entity that is not a financial institution.

**"Passive NFE (Passive Non-Financial Entity)"** - is any NFE that is not an active NFE.

**"Active NFE/NFFE"** - An economic unit (NFE/NFFE) that meets at least one of the following criteria:

- a) entity conducting operating business: Less than 50% of NFE's gross revenues in the previous calendar year are passive income, and less than 50% of assets held by NFE during the previous calendar year are assets that produce or are held for the production of passive income;
- b) A corporation whose shares are regularly traded in an established securities market or related entity: NFE shares are regularly traded on an established securities market or NFE is a related entity of an entity whose stock is regularly traded in a securities-created market;
- c) Governmental entity, central bank or international organizations: a central bank or a legal entity that is the sole owner of one or more of the aforementioned institutions. International organization means intergovernmental organizations (including an international organization) consisting primarily of governments having in force a headquarters or an agreement profoundly similar to jurisdiction and whose revenues are not secured for the benefit of private persons;
- d) investment fund, such as a private fund with net capital, venture capital fund, acquisition fund with third financing or any investment instrument whose purpose is to purchase or finance companies and then maintain interests in those companies as assets of capital for investment purposes;
- e) NFE has not been a financial institution for the past five years and is in the process of liquidating its assets, or is reorganizing for the purpose of continuing or resuming operations in a business other than that of the financial institution;
- f) NFE engages primarily in financing and protection of transactions with, or for, related entities that are not Financial Institutions, and does not provide financing or protection services to any Economic Unit that is not affiliated economic unit, provided that the group of any such affiliated Economic Unit is primarily engaged in a business other than the that of the Financial Institution;
- g) Subject dedicated especially for religious, charitable, scientific, artistic, cultural, sports or educational purposes

**"Financial Institution"** - a custodial institution, depository institution, investment entity or specific insurance company

**FATCA (Foreign Tax Compliance Act)** - The Foreign Account Tax Compliance Act is a legislation of the US Department of Treasury that went into effect in July 2014. FATCA requires foreign financial institutions (FFIs) to report to the IRS information about their financial accounts. held by US taxpayers, or by foreign entities in which US taxpayers have a substantial ownership interest. For more information, you can go to the website: <https://www.irs.gov/businesses/corporations/foreign-account-tax-compliance-act-fatca>