

(PLEASE FILL THE APPLICATION FORM IN CAPITAL LETTERS AND PRODUCE ORIGINAL DOCUMENTS)

[illegible]

**INTRODUCED BY : A/C HOLDER**

I/we hereby verify the identity, occupation and address of the aforementioned applicants

[illegible]

Address \_\_\_\_\_

Account No: \_\_\_\_\_

(for introduction by customers) \_\_\_\_\_ Signature and Stamp \_\_\_\_\_

## ACCOUNT OPERATION

Signature:	<input type="checkbox"/>	Single	<input type="checkbox"/>	Joint	<input type="checkbox"/>	Either/ or	<input type="checkbox"/>	Other (Pls. specify) :	
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<b>AGREEMENT AND SIGNATURES</b>	

I/We hereby apply for the Current Account and declare that the information contained in this application is true and correct. I/we accept that the JSC VTB Bank, New Delhi Branch, India is entitled in its absolute discretion to accept or reject this application without assigning any reason whatsoever. I/We have obtained, read understood and agree to be bound by the Account terms and conditions applying to the Account. My/Our use of the Account shall be deemed to be my/our express and unconditional acceptance of the Account terms and conditions and such terms and conditions and stipulations as laid down by JSC VTB Bank. I/We agree that JSC VTB Bank may debit my/our account for service charges as applicable from time to time. I/we agree that the photographs are the present true identity of myself/ourselves I/We accept full responsibility and agree not to make any claim against JSC VTB Bank in respect thereto. I/We agree to abide by the Foreign Exchange Management Act, 1999 ("FEMA") and rules/regulations there under, rules/regulations of the Reserve Bank of India ("RBI") and any and all other applicable laws in force from time to time in their entirety. I/We shall indemnify and hold harmless JSC VTB Bank from any and all actions, claims, demands, proceedings, losses, damages, costs, charges, and expenses whatsoever which JSC VTB Bank may anytime incur, sustain, suffer or be put to as a consequence of or by reason of or by arising out of I/We not abiding with FEMA, the Exchange Control Regulations of the RBI and/or any and all other applicable laws and regulations in force from time to time. I/We hereby undertake to keep JSC VTB Bank informed and authorize JSC VTB Bank to update any change in my/our e-mail ID, telephone number, mobile number and address that JSC VTB Bank may be informed or of be available with JSC VTB Bank / or any of its subsidiaries / affiliates / associates, and/or all the companies / entities / subsidiaries / affiliates thereof under JSC VTB Bank and hereby authorize JSC VTB Bank to contact me/us, by post, fax, telephone, e-mail, sms/text messaging. I/We agree to indemnify JSC VTB Bank against any loss or damage suffered by me/us due to my/our part such as not protecting my/our e-mail ID, password sharing or any such other problem arising with or without my/our knowledge.

Information pursuant to the Money Laundering Act.

<input type="checkbox"/>	I am/we are acting for my/our own account
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I am/we are acting for (name and address of person for whose account / safe custody account is maintained)
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Please affix most recent color Photograph Sign across Photograph

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Signature and Stamp

Please affix most recent color Photograph Sign across Photograph

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Please affix most recent color Photograph Sign across Photograph

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ACCOUNT DETAILS																								
Type of Account	Current Account																							
Mode of Funding																								
Cash																								
Cheque No											from own Account with					VTB		or		Other bank				
(Please specify name and branch address)																								
Cheque No											from own Account with					VTB		or		Other bank				
(Please specify name and branch address)																								
Initial deposit Amount																								
Expected source of funds																								
Intra-group financing											Business income (profit/ earnings)					Business loan								
Transfer from other VTB Account											Investment by Beneficial Owner/Partner					Sale of property								
External investment											Other (please specify)													

PARTNERSHIP																								
JSC VTB Bank																								
Dear Sirs,																								
<p>1) We the undersigned hereby declare that we are partners or members of the Firm carrying on business in the name and style of: M/s _____ and in other names at _____ other places within and outside India.</p> <p>2) We hereby undertake in consideration of existing and future transactions and dealings with the Bank and the Firm and/or its successors and subject as below to be jointly and severally liable and responsible from time to time at all times hereafter to the Bank.</p> <p>3) Our undertaking and liability as aforesaid shall continue notwithstanding:</p> <p>a) any change in the constitution or membership of the Firm and/or its successors and assigns by any cause whatsoever or dissolution thereof or</p> <p>b) that we or any of us ceases to be partners or members or to have any interest in the Firm, in any of which events the liability in addition to that provided by law to us or such of us respectively as the case may be shall cease to be partners or members, or to have any interest in the Firm and/or its successors as assigns as aforesaid shall extend to or continue in respect of all transactions and dealings existing prior to or at the date of receipt by you or written notice from us of such events respectively.</p> <p>4) Further, being desirous of opening an account with the Bank in the name of the Firm, We hereby request and authorize you until anyone of us shall give you notice in writing to the contrary, to honor the signature of the following partners:</p> <p>_____</p>																								
<p>On behalf of the Firm and to honour all cheques, guarantees or other orders, which may be drawn or bills accepted or notes or negotiable instruments passed on the Firm's behalf or receipts for money owing by you to the Firm signed by anyone of the above mentioned partners or signing officers on behalf of the Firm, and to debit such cheques, guarantees, orders, bills or negotiable instruments to the Firm's account or accounts with you whether such account or accounts be for the time being in credit or overdrawn or may become overdrawn in consequence of such behalf, in consideration of which we agree to be jointly and severally responsible for payment for any such overdraft and interest.</p> <p>I/We hereby undertake to get ourselves registered under the Indian Partnership Act (IPA), 1932. I/We do hereby declare that we have been registered as a Firm under the Indian Partnership Act (IPA), 1932 and a certified copy of the certificate of Registration is enclosed.</p> <p>We hereby undertake that, in case of change of the constitution or dissolution of the Firm, we shall give such sufficient notice as may be possible of such change in the constitution or dissolution as the case may be and the same shall be supported by proper documentation wherever necessary.</p>																								
Each partner to sign under his/her individual name without affixing any rubber stamp:																								
Signature: _____																								
Name: _____																								
Signature: _____																								
Name: _____																								
Firm's Seal:																								
Place:												Date:												

**SOLE PROPRIETOR**

JSC VTB Bank

Dear Sirs,

I hereby affirm that I am the Sole Proprietor of the business now conducted and/or to be conducted under the name and style of :

M/s \_\_\_\_\_ and I do hereby acknowledge that I duly shall continue to be personally and fully responsible for all business conducted by me or by anyone else duly authorized by me to the same extent as if said business has been operated and conducted under my own name; you are hereby authorized by me to the same extent as if said business has been operated and conducted under my own name; you are hereby authorized to debit such account whether it be credit or overdrawn with all cheques or other orders purporting to be drawn thereon provided they are signed by me or my authorized attorney as indicated on your specimen signature card.

I declare myself liable on all such cheques or other orders which may be drawn on the said account and agree to comply with and to be bound by the Bank's rules for the conduct of Business Accounts. I agree that any or all funds standing to the credit of the account are payable at your said branch on demand only in such local currency as may then be in local circulation.

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

Name: \_\_\_\_\_

Firm's Seal:

Place:

Date:

**LIST OF DOCUMENTS REQUIRED FOR A LIMITED COMPANY**

- Commencement of business certificate duly attested by the Director authorized by the Board of Directors with stamp
- Memorandum and Articles of Association attested by the authorized director with stamp
- Certificate of Incorporation and Registrar of Companies (ROC) receipt attested by the authorized director
- Board resolution in original signed by all the directors with companies seal
- PAN Card of the company
- Address proof in the name of the company, i.e. latest Bank Statement, Utility Bill, Landline Telephone Bill
- Identification document for all the signing directors i.e. Passport, Pan Card, Driving License, Voter's Card, latest Utility Bill
- One primary document for the non signing director(s), i.e. Passport or Driving License
- One passport size photograph of all the signing director(s)
- Account opening cheque in favor of company's name
- Account opening form duly filled, signed and stamped

**LIST OF DOCUMENTS REQUIRED FOR A PRIVATE LIMITED COMPANY**

- Memorandum and Articles of Association attested by the authorized director with stamp
- Certificate of Incorporation and Registrar of Companies (ROC) receipt (usually the first page of MOA) attested by the authorized director
- Board resolution in original signed by all the director(s) with companies seal
- PAN Card of the company
- Address proof in the name of company i.e. latest Bank Statement, latest Utility Bill, Landline Telephone Bill
- Identification documents for all the signing director(s), i.e. Passport, PAN Card, Driving License, Voters Card, latest Utility Bill
- One primary document for the non signing director(s). i.e. Passport, or Driving License
- One passport size photograph of all the signing directors
- Account opening cheque in favour of company's name
- Account opening form duly filled signed and stamped
- If case of change in director(s). form 32 with ROC receipt

**FOR BANK USE ONLY**

Received on:

by:

Checked &amp; Authorised by:

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# SIGNATURE CARD

Account Number

Company's Name

Tel. No

Name 1. \_\_\_\_\_

Name 2. \_\_\_\_\_

(Please sign in the box above)

(Please sign in the box above)

SIGNATURE REQUIREMENTS :

☐ Single ☐ Joint-Signing Jointly ☐ Either or Survivor ☐ Other (please specify) \_\_\_\_\_

Total Number of Signatories

FOR BANK USE ONLY

VERIFIED BY:

APPROVED BY:



1.

Name 1. \_\_\_\_\_

Name 2. \_\_\_\_\_

(Please sign in the box above)

(Please sign in the box above)

Please affix most recent  
color Photograph Sign  
across Photograph

Please affix most recent  
color Photograph Sign  
across Photograph



A. IDENTITY DETAILS																				<div> <div>Please affix most recent color Photograph 30mm x 40mm Sign across Photograph</div> </div>	
Name of the Applicant (As appearing in supporting document)																					
Title	Mr.	Mrs.	Others:										Gender	Male	Female						
Name																					
Father's Name																					
Date of Birth								Nationality	Russian		Indian										
									Other												
Please tick ( <input checked="" type="checkbox"/> ) relevant box		<input type="checkbox"/> Resident					<input type="checkbox"/> Non Resident														
Permanent Account Number (PAN) Mandatory																					
Copy of PAN card Attached																					

Address for Correspondence :																																		
City:												State:								Pin:														
Tel:					Fax:										Mob:																			
E-mail:																																		
Proof of address to be provided by applicant: Please submit any one of the following:																																		
Latest Telephone Bill												Latest Electricity Bill										Passport					Driving License							
Latest Bank Pass Book												Ration Card										Voter ID Card												

Permanent Address of Resident Applicant if different from B above or Overseas Address (Mandatory) for Non-Resident																														
Address for Correspondence :																														
City:								State:								Pin:														
Tel:						Fax:						Mob:																		
E-mail:																														
Proof of address to be provided by applicant: Please submit any one of the following:																														
	Latest Telephone Bill							Latest Electricity Bill							Passport							Driving License								
	Ration Card							Voter ID Card																						
for N RI's - any other document attested by local authority I Embassy																														

Gross annual income details: Please tick ( <input checked="" type="checkbox"/> )relevant box																											
Up to Rs 500,000				500,001 to Rs 2,500,000				Rs 2,500,001 to Rs 10,000,000								Rs 10,000,001 to Rs 50,000,000											
Rs. 50,000,001 and above																											
Occupational Details: Please tick ( <input checked="" type="checkbox"/> )relevant box																											
Private Sector Service				Public sector Service				Government Service				Business				Professional				Student							
Agriculturist				Retired				Housewife				Forex Dealer				Other Specify											
Details of Foreign Countries visited during last three years:																											

Any other information which you will like to record with bank:

## D. DECLARATION

I hereby declare and undertake that all information given above are true and correct and shall abide by the KYC guidance and Anti Money Laundering Measures.

Place \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

Place \_\_\_\_\_

Date \_\_\_\_\_

Signature of Applicant

**FOR BANK USE ONLY**

Remarks:

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[illegible][illegible][illegible][illegible][illegible][illegible]

## Questionnaire for legal entities that are not Russian residents

Please indicate the person for whom the Questionnaire is filled in (Mark <input checkbox"="" checked="" type="checkbox&gt;):&lt;/td&gt; &lt;/tr&gt; &lt;tr&gt; &lt;td&gt;&lt;input type="/> - CLIENT		Please answer questions 1–16 of the Questionnaire and fill in Appendix 1
<input type="checkbox"/> - CLIENT'S REPRESENTATIVE: <input type="checkbox"/> - managing legal entity to which the authority of the legal entity's sole executive body is transferred to <input type="checkbox"/> - other (please explain)	Please answer questions 1–10 of the Questionnaire <i>Please also indicate information about the client for whose representative / beneficiary this form is filled in:</i> Name: Date of birth/TIN: Series and number of identification document:	
<input type="checkbox"/> - CLIENT'S BENEFICIARY <sup>1</sup>		
1. Name, corporate name in Russian (full and (or) abbreviated)		
2. Name, corporate name in a foreign language (full and (or) abbreviated)		
3. Legal status		
4. Tax identification number		
5. Registration number of the legal entity at the place of incorporation and registration		
6. State registration date of the legal entity		
7. Place of state registration (registered address) (according to constituent documents (charter))		
8. Address of the legal entity on the territory of the state where it is registered		
9. Number of entry certifying accreditation of branch or representative office of foreign legal entity into the state register of accredited branches and representative offices of foreign legal entities		
10. Date of entry certifying accreditation of branch or representative office of foreign legal entity into the state register of accredited branches and representative offices of foreign legal entities		
11. <sup>2</sup> Information about the license to perform activity which is subject to licensing; number, date of issue; issuing authority; validity period; list of licensed activities <i>(the absence of information on the license in the Questionnaire is a confirmation that the organization doesn't carry out activities subject to licensing in accordance with the legislation)</i>		
12. <sup>2</sup> Amount of registered and paid charter capital or authorized fund, property		
13. <sup>2</sup> Contact details (telephone number, email, mailing address (if available))		

<sup>1</sup> A person who is not a direct participant of an operation to whose benefit the client acts, including on the basis of an body agreement, suretyship agreement, commission and trust management agreement, in conducting operations with funds and other property.

<sup>2</sup> May remain blank if the Questionnaire for beneficiary or representative is completed.

**14.** <sup>2</sup>Domain name, site index on the Internet, with the use of which the organization provides services (if available)

or please tick ☒ if

☐ The organization doesn't provide Internet services

**15.** <sup>2</sup>Information about management bodies of the legal entity:

Management body	Members
General meeting of shareholders (participants) <sup>3</sup>	
Board of Directors (Supervisory Council)	
CEO (Chief Executive Officer or other highest ranking person in a company, responsible for taking sole managerial decisions)	
Management Board (Directorate)	
Other person authorized to act behalf of your legal entity without power of attorney	

**16.** <sup>2</sup>Information about shareholders (participants) who own 5% or more shares:

Full shareholder (participant) name <sup>4</sup>	Percentage of shares	TIN (if any) / date of birth	Registration address (place of business or residence address)

I confirm that the information indicated in this Questionnaire is true.

I understand that the legal entity is liable for provision of inaccurate and misleading information about it in accordance with the applicable laws.

\_\_\_\_\_  
(signature)

L.S.  
(if available)

\_\_\_\_\_  
(Full name of representative)

Questionnaire completion date (in the DD.MM.YYY format):  .  .

<sup>3</sup> Except information about the shareholders (participants) of the legal entity who own less than 5% of shares of the legal entity.

<sup>4</sup> Names of non-resident legal entities / individuals-foreign citizens/stateless persons are filled in Latin.

Appendix 1 to the Questionnaire for legal entities that are not Russian residents

Client name

Client TIN

**Additional information about the Client**

<b>SECTION I</b>	
<p><b>1. Information about beneficial owners (mark <input checked="" type="checkbox"/>):</b></p> <p><input type="checkbox"/> - is contained in Questionnaires for individuals;  <i>(if mark is placed here, it is required to fill in the Individuals Questionnaire for beneficial owner)</i></p> <p><input type="checkbox"/> - is not provided to the Bank due to the following reason (mark with <input checked="" type="checkbox"/>):</p> <p><input type="checkbox"/> ownership structure and (or) organizational structure of your legal entity that is a non-resident does not imply the presence of a beneficial owner;</p> <p><input type="checkbox"/> - there are no individuals who ultimately, directly or indirectly, own (have a dominant participation of more than 25 per cent in the capital of the legal entity), or, directly or indirectly, control the actions of the legal entity;  <i>(is this item is marked, the legal entity shall provide to the Bank documented evidence confirming the accuracy of this information)</i></p> <p><input type="checkbox"/> - the legal entity is not subject to the obligation to disclose information about its beneficial owners in accordance with article 6.1 of Federal Law No.115-FZ "On countering legalization (laundering) of proceeds of crime and terrorist financing" of 07 August 2001, as it is (mark with <input checked="" type="checkbox"/>):</p> <p><input type="checkbox"/> a government body of a foreign state;</p> <p><input type="checkbox"/> an international legal entity, foreign state or administrative territory of a foreign state with autonomous legal capacity;</p> <p><input type="checkbox"/> an issuer of securities admitted to organized trading, which discloses information in accordance with the applicable securities legislation of the Russian Federation;</p> <p><input type="checkbox"/> a foreign legal entity whose securities have been listed on a foreign stock exchange included in the list approved by the Bank of Russia.</p>	
<p><b>2. Information about the sole executive body</b></p>	<p><input type="checkbox"/> - is contained in Questionnaires for individuals;</p> <p><input type="checkbox"/> - ownership structure and (or) organizational structure of your legal entity that is a non-resident does not imply the presence of a sole executive body (CEO)</p>
<p><b>3. Please mark with <input checked="" type="checkbox"/> if it applies to your legal entity:</b>  <i>(if this item is marked with <input checked="" type="checkbox"/>, it is also required to fill in the Individuals/Individual entrepreneurs/Legal Entities Questionnaire for beneficiaries)</i></p>	<p><input type="checkbox"/> - the legal entity intends to conduct operations to the benefit of third parties, acting as an agent on the basis of an body agreement, as a commissioner on the basis of a commission agent agreement, as an appointee on the basis of a contract of delegation, as a trustee on the basis of a trust management agreement</p>
<p><b>4. Purposes of establishing and intended nature of business relationship with the Bank: types of banking services that the legal entity would like to receive:</b></p>	
<p><b>5. Information about planned operations with the account within a certain period (week, month, quarter, year): number and amount of operations, including withdrawal of cash and operations related to transfer of funds within foreign trade activities:</b></p>	
<p><b>6. Information about business reputation: (mark with <input checked="" type="checkbox"/>)</b></p>	

☐ **feedback about the legal entity (in free written form)** from other clients of VTB Bank (PJSC) that have a business relationship with the legal entity

☐ **feedback about the legal entity (in free written form)** from other credit institutions where your legal entity previously received services, containing information from these credit institutions about the evaluation of the business reputation of your legal entity

☐ feedback about business reputation may not be provided (in this case, tick ☒ the statements that are true for you:

- ☐ there are no facts of refusal by credit institutions in bank account (deposit) opening with you
- ☐ there are no facts of dissolution of the bank account contract with you at the initiative of credit institutions
- ☐ there are no facts of decline by credit institutions of your transaction
- ☐ over the past 12 months you have no overdue debt under the loan agreement
- ☐ there are no facts of bringing you to tax liability for a tax offense
- ☐ there are no facts of bringing you to administrative liability for an administrative offense

**7.** The following documents may be provided as **confirmation of the financial standing of the legal entity** to the Bank (mark type of information provided to the Bank ☒):

☐ copy of annual financial statements (balance sheet, profit and loss statement) and (or) copy of annual (or quarterly) tax returns containing acceptance marks of the tax authority or without such mark but with attachment of a copy of receipt of sending a registered letter with an enclosure list (if sent by mail), or a copy of dispatch in hard copy (if sent in electronic form);

and (or)

☐ copy of auditor opinion about the annual report for the completed year, which confirms the accuracy of financial (accounting) statements and compliance of the accounting procedures with the applicable laws of the Russian Federation;

and (or)

☐ certificate of performance by the legal entity as a taxpayer (payer of duties, tax agent) of the obligation to pay taxes, duties or penalties, issued by a tax authority;

and (or)

☐ a letter in any form about the absence in relation to the legal entity of insolvency (bankruptcy) proceedings, legally effective court decision on adjudication in insolvency (bankruptcy), or liquidation procedures as at the date of provision of documents to the Bank;

and (or)

☐ a letter in any form about absence of instances of non-performance by the legal entity of its monetary obligations due to lack of funds on bank accounts;

and (or)

☐ information about the rating of the legal entity published online on websites of international rating agencies ("Standard & Poor's", "Fitch-Ratings", "Moody's Investors Service" and others) and Russian credit rating agencies):

rating:     ; rating body name:     ;

and (or)

☐ a letter in any form with the indication of the amount of profits and losses for the past fiscal year (in case of absence of regulatory requirements for accounting (tax) reporting);

and (or)

☐ **guarantee letter in free form, signed by head/authorized person** of the client, containing the obligation of the client, from the date of state registration of which at least three months have expired before contact with the Bank, to provide to the Bank a copy of annual financial statements (balance sheet, profit and loss statement) and (or) copy of annual (or quarterly) tax returns within 10 business days following the day of receipt of the mark of the tax **authority (copies of documents bearing acceptance marks of the tax authority)** or postal service receipt confirming dispatch of documents by registered letter with an enclosure list, with attachment of a copy of such receipt **or dispatch of the statements in electronic form with attachment of a copy of document confirming such dispatch, printed on paper.**

<b>8. Indicate the country where your legal entity is a taxpayer</b>	
<b>9. Please tick <input checked="" type="checkbox"/> if the following is applicable to the organization:</b> <input type="checkbox"/> Organization is not a trustee (trust manager) of a foreign non-incorporated entity <input type="checkbox"/> Organization is a trustee (trust manager) of a foreign non-incorporated entity. Additionally, please indicate its name and form of incorporation (in particular, fund, partnership, cooperative, trust, other form of collective investment and (or) trust management): <input type="checkbox"/> Organization is not a protector of a foreign non-incorporated entity <input type="checkbox"/> Organization is a protector of a foreign non-incorporated entity. Additionally, please indicate its name and form of incorporation (in particular, fund, partnership, cooperative, trust, other form of collective investment and (or) trust management):	
<b>10. Please also fill in the forms for representatives acting on behalf of and in there interest of your legal entity<sup>5</sup>.</b>	
<b>SECTION II</b>	
<b>1. Is your legal entity a financial institution for the purposes of Foreign Account Tax Compliance Act (FATCA)?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO  <i>If you answered "YES", please also answer additional questions in the form for clients that are financial institutions, provided by the Bank.</i>	
<b>2. Is your legal entity / your beneficiary (if available) a tax resident of a foreign state (territory)?</b> <input type="checkbox"/> YES, my legal entity is a tax resident of a foreign state (territory) <input type="checkbox"/> YES, the beneficiary of my legal entity is a tax resident of a foreign state (territory) <input type="checkbox"/> NO <input type="checkbox"/> The beneficiary who is an individual is not a tax resident <b>of any state (territory)</b> . <i>If you answered "YES" or indicated that the beneficiary who is an individual is not a tax resident <b>of any state (territory)</b>, please also answer additional questions in the form for legal entities, provided by the Bank.</i>	
<b>3. If the beneficial owner of your legal entity / your beneficiary, which is an legal entity or an unincorporated entity (if available) a tax resident of a foreign state (territory)?</b> <input type="checkbox"/> YES, the beneficial owner <u>of my legal entity</u> is a tax resident of a foreign state (territory) <input type="checkbox"/> YES, the beneficial owner <u>of the beneficiary</u> of my legal entity is a tax resident of a foreign state (territory) <input type="checkbox"/> NO <input type="checkbox"/> The beneficial owner <u>of my legal entity</u> is not a tax resident <b>of any state (territory)</b> <input type="checkbox"/> The beneficial owner <u>of the beneficiary of my legal entity</u> is not a tax resident <b>of any state (territory)</b> <i>If you answered "YES" or indicated that the beneficial owner is not a tax resident <b>of any state (territory)</b>, please also answer question 5 of Section II.</i>	
<b>4. Indicate whether any of the following persons is among the persons controlling your legal entity, who directly or indirectly own a 10% or more in the legal entity:</b> <ul style="list-style-type: none"> <li>Individual that is a U.S. tax resident;</li> <li>Legal entity registered / incorporated in the USA.</li> </ul> <input type="checkbox"/> YES <input type="checkbox"/> NO <i>If you answered "YES, please also answer question 5 of Section II.</i>	
<b><i>If you answered "NO" to questions 3 and 4 of Section II, you do not need to answer question 5.</i></b>	

<sup>5</sup> Person who in connection with banking operations acts on behalf of and in the interest of or for the account of a client, whose authority is based on a power of attorney, contract, act of an authorized government body or local authority, or law, as well as sole executive body of a legal entity.

5. Indicate whether any of the following statements is true:

– in the preceding calendar year, 50% or more of the revenue of your legal entity / your beneficiary that is a legal entity (if available) account for passive income and 50% or more of the assets of your legal entity / your beneficiary that is a legal entity (if available) (assessed at market or balance sheet value) constitute assets used to derive revenue from passive activity;

– your legal entity / your beneficiary that is a legal entity (if available) is a financial market legal entity registered in a state (territory), which is not included in the list of states (territories) with which the Russian Federation has activated automatic exchange of financial information for tax purposes as published on the official website of the Federal Tax Service of Russia, and the main revenue of which originates from investment or trading in financial assets, and which is managed by another financial market legal entity.

☐ YES, true for my legal entity ☐ YES, true for the beneficiary of my legal entity that is a legal entity ☐ NO

*If you answered "YES", please also answer additional questions in the form for legal entities, provided by the Bank.*

In case of change to the identification information provided under Section II hereof, the Legal entity will provide updated information to the Bank within 30 days after such change.

I confirm that the information indicated in this appendix is true.

I understand that the legal entity is liable for provision of inaccurate and misleading information about it in accordance with the applicable laws.

\_\_\_\_\_  
(signature)

L.S.  
(if available)

\_\_\_\_\_  
(Full name of representative)

Appendix completion date (in the DD.MM.YYY format):

.  .

## Annex IV - Self-Certification Questionnaire for Identification of Tax Residents of Foreign States for Customers which are Legal Entities not Acting as Financial Institutions, their Beneficiaries and (or) Persons Controlling them Directly or Indirectly)

Self-Certification Questionnaire for Identification of Tax Residents of Foreign States for Customers which are Legal Entities not Acting as Financial Institutions, their Beneficiaries and (or) Persons Controlling them Directly or Indirectly <sup>6,7</sup>



Dear Customer,  
All the items of the form are to be filled out one after another, unless stated otherwise.

<b>PART 1. CUSTOMER DETAILS</b>			
1) Name of the entity or unincorporated structure ( the "entity")			
2) State (territory) of tax residency of the entity	a)	3) Foreign taxpayer identification number (or its equivalent) TIN <sup>8</sup> /FCC (foreign company code) <sup>9</sup>	a)
	b)		b)
	c)		c)
4) Address in the country of registration	a)		
	b)		
	c)		
5) Please specify the type of your entity: If you have any questions on the classification, please contact legal service of your entity.			
<input type="checkbox"/>	5.1) an entity whose shares are traded in established trades in the Russian Federation or in a foreign stock exchange;		
<input type="checkbox"/>	5.2) an entity that is directly or indirectly controlled by the entity referred to in subparagraph 5.1) of this paragraph, or which controls such an entity itself;		
<input type="checkbox"/>	5.3) an entity that is directly or indirectly controlled by another entity that directly or indirectly controls the entity referred to in subparagraph 5.1) of this paragraph;		
<input type="checkbox"/>	5.4) public authorities of the Russian Federation or foreign states, international entities, central banks of foreign states;		
<input type="checkbox"/>	5.5) the financial market entity, except for the financial market entity, registered in a state not included in the list of states (territories) with which the Russian Federation automatically exchanges financial information for tax purposes, posted on the official website of the authorized body, if the financial market entity receives its principal income from investment or financial asset trading operations and managed by another financial market entity;		
<input type="checkbox"/>	5.6) other.		
If you have selected options from 5.1 to 5.5, please proceed to Section 4 of the form.			

<sup>6</sup> This form is intended for identification of a legal entity with the purpose of identifying a tax resident of a foreign state (territory), incl. for the purposes of the FATCA . It has been compiled in accordance with §1.1471-3 (c) (6) (v) U.S. Treasury Regulations. VTB Bank (PJSC) reserves the right to request additional information on W-8 BEN E form approved by the IRS, or on the form of VTB Bank (PJSC).

<sup>7</sup> A person using the services of the Custodian under a Custody Agreement or other agreement entered into with the Custodian in the context of performing the Custodian activity (hereinafter referred to as the Depositor) by the Custodian, has agreed with the fact that confidential information about him and his depo account, including operations on the custody account, as well as information contained in the Depositor's Questionnaire and Depot Orders registered in the Custodian, will be transferred to an authorized FATCA body/entity without additional consent of the Depositor on the basis of the data of the depository system of the Custodian in the cases provided for by the legislation of the Russian Federation, applicable law, and also in accordance with the Foreign Account Tax Compliance Act (FATCA). The Depositor shall be liable for the reliability of the information provided to the Custodian and for promptly updating file data.

<sup>8</sup> "TIN" means Taxpayer Identification Number

<sup>9</sup> Code (codes) (if any) of foreign unincorporated structures in a state (territory) of its registration as a tax payer (or their equivalents) - for a foreign unincorporated structure.

**PART 2. BENEFICIARY OWNER DETAILS<sup>10</sup>**

(to be filled out only by customers who answered "YES, true for my entity or unincorporated structure" to questions 3 and 5 of Section II of AML/CTF Questionnaire).

**2.1.** Details of individuals, which ultimately directly or indirectly (through 3rd parties) own (have a majority equity stake over 25% in the capital of your entity) or have an ability to control the actions of your entity or unincorporated structure – beneficiary owners

1)	Last name, first name and patronymic (if any)	
2)	Date and place of birth	
3)	Address of residence (registration) or place of stay	

4) Country (territory) of tax residency and the corresponding TIN (or its equivalent)

State (territory) of tax residency		TIN (or its equivalent)	If TIN has not been provided, please specify the reason (A,B or C)
a)			
b)			
c)			

**Reason A** – the country/jurisdiction of tax residency does not assign a TIN.

**Reason B** – the account holder can not get a TIN or its equivalent for other reasons

if you can not provide a TIN, please write a clear explanation of the reason below \_\_\_\_\_).

**Reason C** – a TIN is not mandatory (if the right of your jurisdiction does not require collection of TIN data).

<sup>10</sup> If you need to specify information about several beneficiary owners, please fill out the information with regard to each controlling person.

**2.2.** Please indicate whether controlling persons of your entity, who directly or indirectly owns more than 10% of the interest in the entity, have one of the following persons (Substantial U.S. Owner (s))(see the Appendix for determination of indirect ownership):

- Individuals who are US tax residents (Specified U.S. person) (see definition in the Appendix);
- Legal entities that are registered/incorporated in the United States and which **do not** fall into the category of legal entities excluded from the list of Specified U.S. persons (The list is set out in the Appendix).

<input type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>
-------------------------------------	------------------------------------

If the answer is **YES** please provide the following information on each of the controlling person in your entity:

Name of the entity in English	
Last name, first name and (if any) patronymic in English in accordance with identity documents issued by US authorities	
SSN/ITIN <sup>11</sup> /EIN№	
Address of residence/registration (street, house number, room/office/apartment number)	
City	
Country (with a zip code)	
Region/District/State	

Please indicate if the controlling person has the citizenship of any foreign state apart from the citizenship of the Russian Federation (other than the citizenship of a state member of the Customs Union):

a)	<input type="checkbox"/>	yes, please indicate a foreign state _____, please provide a passport copy of a citizen of a foreign state
b)	<input type="checkbox"/>	no
c)	<input type="checkbox"/>	not applicable, the controlling person is not a Russian citizen

### PART 3. BENEFICIARY DETAILS

#### 3.1 Details of Beneficiary who is an Individual or an Individual Entrepreneur

(to be filled out only by customers who have a beneficiary who is an individual or an individual entrepreneur and who answered "YES" or indicated that "beneficiary is an individual who is not a tax resident of any state (territory)" in question 2 of Section II of AML/CTF Questionnaire).

1)	Last name, first name and patronymic (if any)	
2)	Date and place of birth	
3)	Address of residence (registration) or place of stay	

<sup>11</sup> «SSN» means Social Security Number, which is a number of social insurance of a US citizen. If an individual has no SSN, please specify ITIN (Individual Taxpayer Identification Number)

4) 4) State (territory) of tax residency and the corresponding TIN (or its equivalent)

State (territory) of tax residency	TIN (or its equivalent)	If TIN has not been provided, please specify the reason (A,B or C)
a)		
b)		
c)		

**Reason A** – the country/jurisdiction of tax residency does not assign a TIN.

**Reason B** – the account holder can not get a TIN or its equivalent for other reasons (if you can not provide a TIN, please write a clear explanation for the reason below \_\_\_\_\_).

**Reason C** – a TIN is not mandatory (if the right of your jurisdiction does not require collection of TIN data).

**3.2 Information on Beneficiary who is a Legal Entity or an Unincorporated Structure (the “beneficiary entity”) and a Tax Resident of a Foreign State (Territory)**

*(to be filled out only by customers who have a beneficiary which is a legal entity and who answered “YES, my beneficiary is a tax resident of a foreign state (territory)” in question 2 of Section II of AML/CTF Questionnaire).*

1) Name of the beneficiary entity	
2) Please specify the type of beneficiary entity:	
<input type="checkbox"/>	2.1) an entity whose shares are traded in established trades in the Russian Federation or in a foreign stock exchange;
<input type="checkbox"/>	2.2) an entity that is directly or indirectly controlled by the entity referred to in sub-clause 2.1) of this clause, or which controls such an entity itself;
<input type="checkbox"/>	2.3) an entity that is directly or indirectly controlled by another entity that directly or indirectly controls the entity referred to in sub-clause 2.1) of this clause;
<input type="checkbox"/>	2.4) public authorities of the Russian Federation or foreign states, international entities, central banks of foreign states;
<input type="checkbox"/>	2.5) the financial market entity, except for the financial market entity, registered in a state not included in the list of states (territories) with which the Russian Federation automatically exchanges financial information for tax purposes, posted on the official website of the authorized body, if the financial market entity receives its principal income from investment or financial asset trading operations and managed by another financial market entity;
<input type="checkbox"/>	2.6) other.

If you have selected options from 2.1 to 2.5, please proceed to Section 4 of the form.

3) State (territory) of tax residency of beneficiary entity	a)	4) Foreign taxpayer identification number (or its equivalent) TIN/FCC (foreign company code)	a)
	b)		b)
	c)		c)
5) Address in the country of registration	a)		
	b)		
	c)		

**3.3. Information of a Beneficiary Owner, which is a “Passive” Entity (an Unincorporated Structure) (the “Beneficiary Entity”)**  
*(to be filled out only by customers who answered “YES, true for beneficiary of my entity (unincorporated structure), which is a legal entity” to questions 3 and 5 of Section II of AML/CTF Questionnaire).*

**3.3.1. Information on the Beneficiary Entity**

1) Name of the beneficiary entity	
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2) Please specify the type of beneficiary entity:

<input type="checkbox"/>	2.1) an entity whose shares are traded in established trades in the Russian Federation or in a foreign stock exchange;
<input type="checkbox"/>	2.2) an entity that is directly or indirectly controlled by the entity referred to in sub-clause 2.1) of this clause, or which controls such an entity itself;
<input type="checkbox"/>	2.3) an entity that is directly or indirectly controlled by another entity that directly or indirectly controls the entity referred to in sub-clause 2.1) of this clause;
<input type="checkbox"/>	2.4) public authorities of the Russian Federation or foreign states, international entities, central banks of foreign states;
<input type="checkbox"/>	2.5) the financial market entity, except for the financial market entity, registered in a state not included in the list of states (territories) with which the Russian Federation automatically exchanges financial information for tax purposes, posted on the official website of the authorized body, if the financial market entity receives its principal income from investment or financial asset trading operations and managed by another financial market entity;
<input type="checkbox"/>	2.6) other.

If you have selected options from 2.1 to 2.5, please proceed to Section 4 of the form.

3) State (territory) of tax residency of beneficiary entity	a)	4) Foreign taxpayer identification number (or its equivalent) TIN/FCC (foreign company code)	a)
	b)		b)
	c)		c)
5) Address in the country of registration	a)		
	b)		
	c)		

**2.3.3. Information on the Individuals Who Ultimately Directly or Indirectly (Through 3Rd Parties) Own (Have a Majority Equity Stake Over 25% in the Capital of the Beneficiary Entity) or Have an Ability to Control the Actions of The Beneficiary Entity – Beneficiary Owners**

1)	Last name, first name and patronymic (if any)	
2)	Date and place of birth	
3)	Address of residence (registration) or place of stay	

4) 4) State (territory) of tax residency and the corresponding TIN (or its equivalent)

State (territory) of tax residency		TIN (or its equivalent)	If TIN has not been provided, please specify the reason (A,B or C)
a)			
b)			
c)			

**Reason A** – the country/jurisdiction of tax residency does not assign a TIN.

**Reason B** – the account holder can not get a TIN or its equivalent for other reasons (if you can not provide a TIN, please write a clear explanation for the reason below \_\_\_\_\_).

**Reason C** – a TIN is not mandatory (if the right of your jurisdiction does not require collection of TIN data).

**PART 4. SIGNS OF THE USA**

<b>4.1. Is the territory of USA the country of registration/incorporation of your entity?</b>		<input type="checkbox"/> YES <input type="checkbox"/> NO
If the answer to question 4.1 is NO, please proceed to Section 5 of the form.		
<b>4.2. Indicate if your entity belongs to the category of legal entities excluded from Specified U.S. Person list (see the list in the Appendix)?</b>	<input type="checkbox"/> <b>YES</b> , the entity is excluded from the list of Specified U.S. Person (specify the category): _____	
	<input type="checkbox"/> <b>NO</b> , the entity is not excluded from the list of Specified U.S. Person list. Name of the entity in English _____ _____ Please specify EIN <sup>12</sup> of the entity _____	

<sup>12</sup> (Employer Identification Number) - Identification number of a U.S. Taxpayer - legal entity

**PART 5. CERTIFICATION AND SIGNATURE**

I declare that the information provided in this form is true.

I understand that I am responsible for providing false and knowingly inaccurate information about the entity in accordance with applicable law.

In the event of a change in the identification information provided in this form, the entity will provide updated information to the Bank no later than 30 days after the change in the information.

- I confirm that the entity fully complies with the requirements set forth in US law<sup>13</sup> to FATCA status indicated in this form.
- I confirm that VTB Bank (PJSC) can be guided by this form in making a decision on the need for reporting.
- I authorize VTB Bank (PJSC) to provide the information on the entity required to be filled in the reporting forms established by the US Internal Revenue Service to the US Internal Revenue Service/person acting as a tax agent in accordance with the FATCA legislation.
- I confirm that I have received consent from the controlling persons (beneficiaries) of the entity to provide VTB Bank (PJSC) with the information required to be filled in the established reporting forms.

Date			
(Date in DDMMYYYY format)			

*(Full name of a sole executive body/authorized person, signature)*

*Seal of the entity (if any)*

<sup>13</sup> U.S. Treasury Regulations §1.1471 - §1.1474

## Appendix

Dear Customer,

To ensure that certain fields of the form are filled out correctly, we ask you to analyze additional information set out below.

Clause 1 of Article 142.2 and Clause 1 of Article 142.4 of the Tax Code of the Russian Federation oblige VTB Bank (PJSC) to collect and include certain information in its reporting about the tax residency of customers, beneficiaries and persons directly or indirectly controlling them.

Clause 2 of Article 142.4 of the Tax Code of the Russian Federation obliges the customers to provide information requested by the Bank regarding themselves and beneficiaries and persons directly or indirectly controlling them.

### INFORMATION ON THE FATCA LEGISLATION

FATCA is the US law (hereinafter referred to as the "Law"), established by Chapter 4 of the US Internal Revenue Code (hereinafter US TC) and the US Treasury's Instruction on fulfillment of the requirements of Chapter 4 of the US Internal Revenue Code, which obliges all non-US financial institutions to identify customers and provide information on their accounts to the tax service of the USA (Internal Revenue Service, "the IRS").

In the event of failure to comply with the requirements of the FATCA law on the part of the Bank or the Bank's client, enforcement actions are envisaged.

If you have any questions on the law effect and its application, please visit the website of the Internal Revenue Service (<http://www.irs.gov>).

#### 4.1. Controlling Person is<sup>14</sup>:

- In the entity - a person who directly or indirectly owns more than 10% of the shares of this corporation (by the number of votes or value);
- In partnership - a person who directly or indirectly owns more than 10% of the interest in the partnership;
- In the trust - a person who directly or indirectly owns more than 10% of the interest in the trust.
- A person will be considered a beneficial owner of the interest in the trust, if such person has the right to receive directly, indirectly or through the nominal recipient mandatory payments from the trust (mandatory distributions), i.e. payments, the amount of which is determined on the basis of a trust agreement, as well as discretionary payments from the trust, i.e. payments made at the discretion of the general manager (discretionary distribution).
- The FATCA establishes specific requirements for determining interest in the trust:
- With respect to trusts, a 10% interest will be determined as:
- With respect to discretionary distribution - if the fair market value of the payment (money or property) exceeds 10% of the value of either all payments made in the current year or the value of the assets owned by the trust at the end of the year in which the payment is made;
- In respect of mandatory distribution - if the amount of payment exceeds 10% of the value of the assets of the trust.
- 4.3. Indirect interest is determined by the following rules:
- For cases of indirect ownership of shares (interests), i.e. if another entity (partnership or trust) owns shares (interests) of the foreign entity, the shareholders (owners) of this other entity will be considered owners of the foreign entity in proportion to their interest in this other entity (partnership or trust);
- For cases of indirect interest in a partnership or a trust, i.e. if another entity (partnership or trust) owns interests in the partnership or trust, the shareholders (owners) of this other entity will be considered owners of the foreign entity in proportion to their interest in this other entity (partnership or trust);
- For cases of ownership by means of options, i.e. if the controlling person owns directly or indirectly (indirect ownership is defined similarly to clause 2 by an option to buy shares of a foreign company (interest in a partnership or trust), such person will be considered the owner of shares (interest) of the foreign entity (partnership/trust) according to the interest indicated in the option;
- When determining the interest of a person in a foreign corporation/partnership/trust, it is necessary to take into account all the facts and circumstances that matter. At the same time, any tools that are designed to hide (artificially decrease) the ownership interest should be ignored;
- To determine the interest of a person in a foreign corporation/partnership/trust, it is necessary to total up his/her interest with the interests owned by related persons (including spouses, family members of the shareholder).

Controlling persons are determined on the date of identification.

#### 4.2. Definition of a US Tax Resident

Under the terms of the Law, individuals are recognized as US tax residents if one of the following conditions is met:

- An individual is a US citizen;
- An individual has a permanent residence permit (permanent resident card (Form I-551 (Green Card)));
- An individual meets the criteria of "Long Term Stay".

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<sup>14</sup> §1.1473-1(b)(1)

### Criteria for "Long Term Stay" in the United States

An individual is recognized as a US tax resident if he spent at least 31 days during the current calendar year and at least 183 days during 3 years in the territory of the United States, including the current year and the two immediately preceding years. At the same time, the amount of days during which an individual was present in the United States in the current year, as well as the two preceding years, is multiplied by the established coefficient:

the coefficient for the current year is equal to 1 (i.e., all days spent in the USA in the current year are taken into account);

- the coefficient of the preceding year is 1/3 and
- the ratio of the year before last year is 1/6.

*E.g.: You spent 130 days in 2017, 120 days in 2016 and 120 days in 2015 in the USA. Thus, the calculation is as follows:  $(130 + 120 \cdot 1/3 + 120 \cdot 1/6) = 190$ . As the total number of the days exceeds 183 and you spent 31 days in the USA in the current year, in 2017 you will be recognized as a US tax resident.*

**We draw your attention to the fact that** US residents are not recognized as teachers, students, trainees who were temporarily present in the United States under F, J, M or Q visas

### 4.3. Categories of Legal Entities Excluded from Specified U.S. Person list:

1.	An American corporation the stock of which is regularly traded on one or more established securities markets
2.	An American company or corporation that is a member of an expanded affiliated group of companies and/or corporations indicated in the preceding item
3.	An American entity exempt from taxation in accordance with section 501 (a), or an individual retirement plan definition of which is established by Section 7701 (a) (37) of the U.S. Internal Revenue Code
4.	The United States institution or agency and its subsidiaries
5.	Any U.S. state, District of Columbia, any U.S. Territory (American Samoa, Guam Territory, Northern Mariana Islands, Puerto Rico, US Virgin Islands), any political subdivision of any of the foregoing, or any agency or instrumentality that was established by them or is wholly owned by them
6.	A U.S. Bank as defined in section 581 of the U.S. Internal Revenue Code (banking and trust entities, a significant part of whose business is receiving deposits, issuing loans or providing fiduciary services and services which are licensed)
7.	A U.S. real estate investment fund as defined in section 856 of the U.S. Internal Revenue Code
8.	An American regulated investment company as defined in section 851 of the US Internal Revenue Code or any company registered with the Securities and Exchange Commission
9.	An American investment fund (common trust fund) as defined in section 584 of the US Internal Revenue Code
10.	An American trust exempt from tax under section 664(c) (the provision of this section relate to trusts established for charitable purposes)
11.	An American dealer in securities, commodity exchange trading or derivatives (including instruments such as futures, forwards and options), which is registered as a dealer under the laws of the United States
12.	American brokers (who have the appropriate license)
13.	An American trust exempt from taxation in accordance with Section 403(b) of the U.S. Internal Revenue Code (trusts established for employees of the entity that meet certain criteria) and section 457(g) (trusts established to pay compensation to employees of US government entities)

### Entity whose Stock is Traded on an Established Securities Market.

An entity is acknowledged a publicly traded entity in the following cases:

1. The shares of the entity shall be acknowledged as regularly traded. This condition is fulfilled, if within the calendar year:
  - a. One or more classes of the entity's stock representing over 50% of voting shares of the entity (with account to all the issued classes of stocks) and whose value (s) is more than 50% of the value of the entity's shares, have been listed on the established securities market (meet the listing requirements of the established securities market);
  - b. For each class of stock that satisfies the listing requirements, the following conditions are met

- with these shares transactions were held on the established securities market for at least 60 days during the previous year (except for cases when the number of such transactions is minimal<sup>15</sup>);
  - The aggregate number of shares traded on an established exchange during the previous year is at least 10% of the average number of shares outstanding (issued) in that class.
2. Classes of stock of an entity that have made "public offering of shares" (IPO, SPO) on one or more established securities market will be treated as "regularly traded" if they are traded during:
    - a. at least 1/6 of all days remaining after the date of the offering until the end of the calendar quarter in which the public offering was made; and
    - b. at least 15 days during each remaining calendar quarters until the end of the year after the offering.
  3. If an entity initiates a public offering of a class of stock in the fourth quarter of the calendar year, this class of stock will be meets the "regularly traded" requirements in the calendar year of the offering if the stock is traded on such established securities market on the greater of:
    - a. 1/6 of the days remaining after the date of the offering in the quarter during which the offering occurs; or
    - b. 5 days thereafter.
  4. Class of shares is treated as "regularly traded" during a calendar year, if:
    - a. The stock is traded during such year on the established securities market;
    - b. Is regularly quoted by dealers who act as a "market maker" in the stock. A dealer makes a market in a stock only if the dealer regularly and actively offers, and in fact does, purchase the stock from, and sells the stock to, customers who are not related persons.

Any trade concluded with a principal purpose of meeting the above "regularly traded" requirements shall be disregarded.

Further a class of stock shall not be treated as "regularly traded" if there is a pattern of trades conducted to meet the above "regularly traded" requirements. Similarly, the stock placed during a public offering will not be treated as meeting the "regularly traded" requirements, if such a public offering has as one of its principla purpose qualification of the class of stock as regularly traded under the reduced regularly traded requirements

#### 5. Established securities market means<sup>16</sup>:

- a. A foreign securities exchange that is officially recognized, sanctioned and regulated by a supervisory body of the country in which the market is located, and has an annual value of shares traded on the exchange exceeding USD 1 billion during each of the three calendar years immediately preceding the calendar year in which the determination is made. Such established securities markets may include, for example, the Moscow Stock Exchange, London Stock Exchange.
- b. A national securities exchange that is registered under Section 6 of the Securities Exchange Act of 1934 (15 USC 78f) with the Securities and Exchange Commission.
- c. Any exchange designated under a Limitation of Benefits article of an Income Tax Treaty with the United States that is in force, or
- d. Any other exchange that the U.S. Treasury may designate in any further published guidance.

#### **Unincorporated structure:**

a form of incorporation is established in accordance with the legislation of a foreign state (territory) without establishing a legal entity (in particular, a fund, partnership, trust, other form of collective investment and (or) trust management), which in accordance with its personal law is entitled to carry out activities aimed at deriving income (profit) to the benefit of its participants (shareholders, trustees or other persons) or other beneficiaries.

For the purposes of Sub-clauses 5.2. and 5.3. of Clause 5 of Part 1, direct or indirect control mean the participatory interest in the entity, which is more than 50% of shares (stakes) in the authorized (share) capital (or its equivalent).

#### **INFORMATION ON THE CRS LEGISLATION**

<sup>15</sup> This criterion is rather vague and in this connection we understand that in order to meet this criterion it is necessary that the shares are not actively traded, i.e. within a period of 60 days only several small transactions should be carried out.

<sup>16</sup> §1.1472-1(c)(1)(i)(C)

**CRS** is the Common Reporting Standard for the automatic exchange of tax information developed by the entity for Economic Co-operation and Development of the Common Reporting

In accordance with the requirements of Federal Law No. 340-FZ of November 27, 2017 "On Amending Part One of the Tax Code of the Russian Federation in connection with the implementation of the international automatic exchange of information and documentation on international groups of companies" ("Federal Law No. 340-FZ"), which obliges financial market entities to identify foreign tax residents among their clients, their beneficiaries and/or persons directly or indirectly controlling them, and to report to the Federal Tax Agency of Russia in order to comply with the laws of the Russian Federation.

If you have any questions on the effect of Federal Law No. 340-FZ and its application, please visit the website of the Federal Tax Agency of Russia <https://www.nalog.ru>

A tax resident of a foreign state is a person who is a tax resident of a foreign state (foreign states) or territory (territories) or for which there are reasons to believe that he is a tax resident of a foreign state (foreign states) or territory (territories).

**A person who directly or indirectly controls the customer (Beneficial Owner)** is an individual who ultimately directly or indirectly (through third parties) owns (has a majority equity stake over 25% in the capital) the customer or has the ability to control the customer's actions. An individual is considered a person himself who directly or indirectly controls the customer except if there are reasons to believe that there are other individuals directly or indirectly controlling the client, who is an individual.

**Beneficiary** is a person (unincorporated structure), to the benefit of which the client operates, including on the basis of an agency contract, agency agreement, commission agreement and trust agreement.

**Passive non-financial entity** is an entity or unincorporated structure that is not a financial market entity and does not correspond to the characteristics of an entity that is acting, and also the financial market entity registered in a state (territory) not included in the list of states (territories), with which the Russian Federation has initiated an automatic exchange of financial information for tax purposes, posted on the official website of the authorized body and whose main income is derived from investment or trade in financial assets, and which is managed by another financial market entity.

#### **Types of Income Derived from Passive Activities:**

- dividends; interest income (or other similar income);
- income from leasing or sublease of property;
- income from the use of rights to intellectual property;
- recurring insurance payments (annuities), excess of income over expenses as a result of transactions with securities and derivative financial instruments (except for income received as a result of core business);
- excess of income from operations with foreign currency (foreign exchange gain) over expenses from operations with foreign currency (foreign exchange loss);
- income received under the contract of voluntary life insurance; other income, similar to the income from passive activity.

#### **Signs of the Entity Conducting its Business:**

- for the preceding calendar year, less than 50% of the customer's income is an income from passive activity in accordance with the definition of this Instruction and less than 50% of assets of the customer (estimated at market or book value) refer to assets used to derive income from passive activities;
- the client's shares are traded in established trades in the Russian Federation or in foreign stock exchanges;
- the client is a Central Bank, a state institution, an international entity or it is 100% owned by the indicated entities;
- the client is established with the purpose of direct ownership of the shares (equity stakes) of entities that are not financial market entities, or for the purpose of financing such entities, with the exception of clients who own or finance such entities solely for investment purposes;
- the client is a newly established entity;
- the client has not been a financial market entity for the previous 5 years and is in the process of liquidation, bankruptcy or restructuring in order to continue or resume commercial activities, excluding activities carried out by the financial market entity;
- the client is a non-profit entity.

