

FATCA & CRS INDIVIDUAL TAX RESIDENCY SELF-CERTIFICATION FORM

INFORMATION & INSTRUCTIONS

Please read the information and instructions below before completing Parts 1 to 4 of this Self-Certification Form (the "Form"). Please note that the completion of this Form is mandatory. Failure to complete this Form may result in EM@NEY p.l.c. (the "Electronic money institution" or 'EM@NEY' or 'EMI'): (i) having to close the Account Holders Electronic Money Accounts held with it; and/or (ii) having to report the Account Holder to the relevant tax authorities. Capitalised terms used herein are defined in Appendix 1.

1. What is this Form intended for?

This Form is for purposes of compliance by the EMI with: (a) Subsidiary Legislation 123.127 on Cooperation with other Jurisdiction on Tax Matters Regulations of the 22nd July 2011, as this may be amended from time to time; (b) the Income Tax Act (Cap. 123 Laws of Malta) - LNs numbered 78 and 290 of 2014 on Exchange of Information (United States of America) (FATCA) Order 2014, as amended by LN 30 of 2015 and as may be further amended from time to time; and (c) any guidelines issued pursuant to Article 96(2) of the Income Tax Act (Cap. 123 Laws of Malta) pursuant to (a) above. (Collectively (a), (b) and (c) (the "Applicable Rules and Regulations").

Kindly note that the EMI might, in addition to the information being requested in this Form, require additional information from the Electronic Money Account Holder for purposes of compliance by EM@NEY with the Applicable Rules and Regulations.

2. Why are you being required to complete this Form?

By completing Parts 1 to 4 of this Form, you will be providing the EMI with accurate and up-to-date information about the Electronic Money Account Holder. Accordingly, this Form will remain valid unless there is a change in circumstances relating to information which you provided herein, such as the Electronic Money Account Holder's tax status or any other information provided. Such change in circumstances will render the information contained in this Form incorrect or incomplete. In that case you must provide the EMI with a duly updated and signed Form within 90 days of any change/s in circumstances.

3. How will the information contained in this Form be utilised for purposes of compliance by EM@NEY with the Applicable Rules and Regulations?

In recent years, measures aimed at combatting tax evasion have become a major focus of governments worldwide. As a result, cooperation between tax authorities has become critical in the fight against tax evasion and in protecting the integrity of tax systems. A key aspect of that cooperation is exchange of information.

i. Foreign Account Tax Compliance Act

As from July 2014, a number of jurisdictions started sharing information on Electronic Money Accounts, held with Electronic Money Institutions located within their jurisdictions, with the U.S. pursuant to the implementation in the U.S. of the Foreign Account Tax Compliance Act ("FATCA") and subsequently its implementation in a number of other countries, including Malta.

EM@NEY is classified as Reporting Malta Electronic Money Institutions under FATCA. As a result, the EMI is required to report, to the Maltese tax authorities, information contained in this Form along with other Electronic Money Account information that the EMI hold in respect of U.S. Reportable Accounts. The Maltese tax authorities will then exchange the reported information on the U.S. Reportable Accounts with the U.S. tax authorities.

ii. Common Reporting Standard

Following the implementation of FATCA, the Organisation for Economic Cooperation and Development ("OECD") developed a new global reporting standard for automatic exchange of Electronic Money Account information in tax matters, referred to as the Common Reporting Standard ("CRS"). CRS is intended to enable the automatic exchange of information between Participating Jurisdictions.

On a European level, through the adoption of EU Council Directive 2014/107/EU ("DAC2"), the European Union ("EU") effectively incorporated CRS across EU Member States thereby requiring EU tax authorities to automatically exchange information held by Electronic Money Institutions in respect of Electronic Money Accounts that are held by EU residents. DAC2 and CRS were implemented into Maltese legislation with effect from 1 January 2016 (the "CRS Regulations").

The CRS Regulations require Reporting Malta Electronic Money Institutions, such as EM@NEY, to determine the tax residency status of their clients. Accordingly, if your tax residence is located within: (i) an EU Member State/s; and/or (ii) a Non-EU Reportable Jurisdiction/s, EM@NEY may be required to pass on, to the Maltese tax authorities, information contained in this Form along with other Electronic Money Account information that the EMI hold in relation to Reportable Accounts. The Maltese tax authorities may then exchange the reported information on the Reportable Accounts with the tax authorities in the country/ies or jurisdiction/s where you are tax resident.

4. Where can further information on FATCA or CRS be obtained?

If you have any questions on your tax residency status, please contact your tax advisor, or visit the OECD's Automatic Exchange of Information (AEOI) portal for country by country information on tax residence at: www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/. Please note that EM@NEY does not provide, and this document does not constitute, tax or legal advice.

5. Additional information

For joint or multiple Electronic Money Account Holders, please use a separate Form for each individual Electronic Money Account Holder.

If the Form is signed by an individual under a power of attorney ("POA") granted by the Electronic Money Holder, please specify such capacity in Part 4. The EMI may only accept a POA if: (i) a valid POA, duly witnessed by a lawyer or notary or equivalent professional, and, in the case of a POA drawn up outside Malta, duly apostilled, is presented/received by the EMI; or (ii) a valid POA is already held on file by the EMI.

If this Form is signed by an individual, in some other capacity, on behalf of the Electronic Money Account Holder, such capacity is also to be specified in Part 4. In any case: (i) the EMI may request additional documents to verify that such individual is duly authorised to act in the capacity which he/she specified in Part 4; and (ii) at its complete discretion, the EMI may not accept this Form if it is not signed by the Electronic Money Account Holder.

APPENDIX 1

Definitions

Note: The following are selected definitions which are being provided to assist you with the completion of this Form. Further details can be found in the Applicable Rules and Regulations. The EMI makes no guarantee of the accuracy and completeness of these selected definitions and is not responsible for any errors nor shall the EMI be liable for any loss that results from reliance upon these definitions.

“Electronic Money Account Holder” means the person listed or identified as the holder of an Electronic money Account with EM@NEY. For example, in the case of a parent/minor relationship, although the parent, as legal guardian, is required to complete and sign the Form on behalf of the minor, however the minor is regarded as the Account Holder. With respect to a jointly held account, each joint holder is treated as an Electronic Money Account Holder;

“EU Member States” means all EU member countries.

“Electronic money Account” means an account maintained by an Electronic Money Institution.

“Electronic Money Institution” means an institution that generates Electronic Money and executes payments as well as receive money for the Electronic Money account holder (as these terms are defined in the Applicable Rules and Regulations).

“Malta Electronic Money Institution” means: (i) any Electronic Money Institution that is resident in Malta, but excludes any branch of that Financial Institution that is located outside Malta; and (ii) any branch of an Electronic Money Institution that is not resident in Malta, if that branch is located in Malta.

“Non-EU Reportable Jurisdiction/s” means a Participating Jurisdiction/s with which Malta has an arrangement pursuant to which there is an obligation in place to provide the information required on the automatic exchange of Electronic Money Account information as set out in the Applicable Rules and Regulations;

“Non-Reporting Malta Electronic Money Institution” means any Malta Electronic Money Institution that presents a low risk of being used to evade tax as further explained in the Applicable Rules and Regulations.

“Participating Jurisdiction/s” means a jurisdiction/s with which an agreement is in place pursuant to which such jurisdiction/s will provide the information required on the automatic exchange/s of Electronic Money Account information as set out in CRS.

“Reportable Account” means an account held by one or more Reportable Persons.

“Reportable Jurisdiction/s” means a jurisdiction/s with which an obligation to provide Electronic Money Account information is in place.

“Reporting Malta Electronic Money Institution” means any Malta Electronic Money Institution that is not a Non-Reporting Malta Electronic Money Institution.

“Reportable Person” means an individual who is tax resident in a Reportable Jurisdiction/s under the tax laws of that/those jurisdiction/s. Dual resident individuals may rely on the tiebreaker rules contained in tax conventions (if applicable) to solve cases of double residence for purposes of determining their tax residency;

“Specified U.S. Person” means a U.S. Person (as defined below).

“TIN” (including “functional equivalent”) 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 the individual or entity for the purposes of administering the tax laws of such jurisdiction.

“U.S.” means the United States of America.

“U.S. Green Card holder” means a U.S. Resident Alien being an individual who has been granted authorisation to live and work in the U.S. on a permanent basis. Persons in possession of a valid U.S. Green Card are also U.S. tax residents and must provide a U.S. TIN;

“U.S. Person” means (for purpose of this Form), a U.S. citizen or a U.S. Resident Alien.

“U.S. Reportable Account” means a Financial Account maintained by a Reporting Malta Financial Institution and held by a Specified U.S. Person.

“U.S. Resident Alien” means a U.S. Green Card holder or an individual who meets the substantial presence test as determined under U.S. tax rules.

APPENDIX 2

Birth in the U.S.

Birth in the U.S. constitutes a strong indicia of U.S. citizenship. Therefore, unless a Certificate of Loss of Nationality of the United States (“CLN”) to prove renunciation or relinquishment of U.S. citizenship is provided, customers born in the U.S. will be considered as U.S. citizens and U.S. tax residents, and must provide a U.S. TIN. (The CLN is a form of the Bureau of Consular Affairs of the U.S. Department of State which is completed by a consular official of the U.S. documenting renunciation or relinquishment of U.S. citizenship).

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IMPORTANT NOTE: Please complete Parts 1 to 4 in BLOCK LETTERS.

All fields are required to be completed. If there are any fields which do not apply to you, please mark as 'Not Applicable'.

Part 1 - Identification of Electronic Money Account Holder

Customer code (for office use only) _____

Name details of Electronic Money Account Holder

Title _____ First name _____ Surname _____

Identification document details of Electronic Money Account Holder

Identity card no. _____ Country of issue of identity card _____

Passport no. _____ Country of issue of passport _____

Permanent residence address of Electronic Money Account Holder (do not use a "P.O. Box" or "in-care-of" address)

Address Line1 _____ Address Line 2 _____

City _____ Region _____

Postcode _____ Country _____

Telephone/Mobile number/s (include country code/s) _____

Communication address of Electronic Money Account Holder (please complete only if different to the address shown in [c] above)

Address Line1 _____ Address Line 2 _____

City _____ Region _____

Postcode _____ Country _____

Date of birth (dd/mmm/yyyy) _____ / _____ / _____ Place of birth _____

City or town of birth _____ Country of birth _____

Part 2 - Citizenship/s, U.S. Green Card, tax residency/ies and taxpayer identification number/s or functional equivalent /s (vide Appendix 1 for definition of TIN)

Citizenship _____ Country / Jurisdiction of citizenship _____

Additional country/jurisdiction of citizenship _____

U.S. Green Card (kindly select YES or NO)

Does the Account Holder possess a valid U.S. Green Card? YES NO

If "YES", please specify:

U.S. Green Card number (USCIS) A | | | | | | | | | | | | | | | | | | | | | |

Temporary U.S. Green Card with Expiry date: (dd/mmm/yyyy) _____ / _____ / _____ or

Permanent U.S. Green Card

Taxpayer identification number or functional equivalent ("TIN")

Em@ney plc - Bank Identification Code Number (MT ABI) 02015 - SWIFT EMONMTM2 - Company Registration No. C55558

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Emoney Office - Triq Ix Xatt Ta' Xbiex, Msida, MSD1516- Malta - contact@emoney.com.mt - emoney.com.mt

	Country/ies or Jurisdiction/s of tax residency	TIN(s)	If no TIN is available enter reason A or B (see below)	Explanation why TIN cannot be obtained (for reason B only)
1				
2				
3				
4				

Reason A - The country or jurisdiction where the Account Holder is liable to pay tax does not issue TINs to its residents.

Reason B - The Electronic Money Account Holder is otherwise unable to obtain a TIN. Please explain why you are unable to obtain a TIN in the above table if you have selected this reason.

Part 3 - Standing orders and powers of attorney

a. Standing Orders

Does the Electronic Money Account Holder have any standing order instructions with EM@NEY to transfer funds to an account/s maintained with a bank or EMI outside Malta?

YES NO

If "YES", please specify:

- i. Which country/ies or jurisdiction/s the funds are being transferred to _____
- ii. Name of beneficiary/ies of funds _____
- iii. Reason for payment _____

b. Power of attorney

Does the Electronic Money Account Holder currently have an effective power of attorney granted to a person/s that has/have an address outside Malta and which is used for purposes of opening/operating the Account Holder s Electronic Money Accounts with EM@NEY?

YES NO

If "YES", please provide:

- i. Full name of attorney/s _____
- ii. Country/ies of residence of attorney/s _____

Part 4 - Declaration and signature

I acknowledge that the information contained in this Form and other information that the EMI hold regarding the Electronic Money Account Holder and any U.S. Reportable Account/s and/or Reportable Account/s, may be provided by the EMI to the Maltese tax authorities pursuant to the Applicable Rules and Regulations. I further acknowledge that such information may then be exchanged with the tax authorities of the country/ies or jurisdiction/s in which the Account Holder may be tax resident pursuant to intergovernmental agreements with the Government of Malta to exchange Electronic Money Account information.

I certify that I am the Electronic Account Holder (or I am authorised to sign for the Electronic Money Account Holder) in respect of all the Electronic Money Account/s to which this Form relates.

I hereby grant my consent that the information which I have provided in this Form, and any updates that I may forward in the future, may be shared by the EMI with third parties for purposes of compliance by the EMI with the Applicable Rules and Regulations.

I undertake to provide EM@NEY with a duly updated and signed Form within 90 days of any change in circumstances of the Electronic Money Account Holder which affects: (i) the tax residency status of the Electronic Money Account Holder; and/or (ii) causes any of the other information contained herein in relation to the Electronic Money Account Holder to become incorrect or incomplete.

I declare that all statements made herein are, to the best of my knowledge and belief, correct and complete.

Signature _____ Capacity* _____

Full Name and Surname _____

Date: (dd/mmm/yyyy) ____/____/____

*Note: If you are not the Account Holder, please indicate the capacity in which you are signing the Form. The EMI may: (i) request additional documents to verify that you are duly authorised to act in the capacity which you specified above; and (ii) at its complete discretion, the EMI may not accept this Form if it is not signed by the Electronic Account Holder.