

# CRS – Glossary

These are selected summaries of defined terms to assist you with the completion of Craigs Investment Partners self-certification forms for Individual/Joint account holders, Entities and Controlling Person(s).

## CRS SPECIFIC DEFINITIONS

**Account Holder (Individual/Joint accounts)** “Account Holder” means the person listed or identified as the holder of a Financial Account. The child (minor) is the Account Holder in the case of a parent/child relationship where the parent is acting as a legal guardian. Each joint holder is treated as an Account Holder for a joint account.

**Account Holder (Entity accounts)** The “Account Holder” is the person listed or identified as the holder of an account. For an account for a trust or an estate, the trust or estate is the Account Holder, rather than the trustee or the trust’s owners or beneficiaries. Similarly, for an account for a partnership, the partnership is the Account Holder, rather than the partners in the partnership.

A person, other than a Financial Institution, holding a Financial Account for the benefit or account of another person as agent, custodian, nominee, signatory, investment advisor, or intermediary, is not treated as holding the account, and such other person is treated as holding the account.

### Active Non-Financial Entity (Active NFE)

An entity will be classified as Active NFE if it meets any of the following criteria:

Active NFE type	Description
<b>Active NFE by reason of Income and Assets</b>	less than 50% of the NFE’s gross income for the preceding calendar year or other appropriate reporting period is passive income* and less than 50% of the assets held by the NFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income*. *refer to full definition of passive income below.
<b>Publicly traded NFE</b>	the stock of the NFE is regularly traded on an established securities market or the NFE is a Related Entity of an Entity the stock of which is regularly traded on an established securities market.
<b>Governmental Entities, International Organisations, Central Banks, or their wholly owned Entities</b>	<b>the NFE is:</b> <b>a Governmental Entity</b> - The government of a jurisdiction, any political subdivision of a jurisdiction (which, for the avoidance of doubt, includes a state, province, county, or municipality), or any wholly owned agency or instrumentality of a jurisdiction or of any one or more of the above mentioned (each, a “Governmental Entity”). <b>an International Organisation</b> - Any international organisation or wholly owned agency or anything that serves as an international organisation. This category includes any intergovernmental organisation (including a supranational organisation) (1) that is comprised primarily of governments; (2) that has in effect a headquarters or substantially similar agreement with the jurisdiction; and (3) the income of which does not benefit private persons. <b>a Central Bank</b> - an institution that is the main authority (other than the government in that jurisdiction) for issuing currency, <b>or an Entity wholly</b> owned by one or more of the above;

<b>Holding NFEs that are members of a non-financial group</b>	substantially all of the activities of the NFE consist of holding (in whole or in part) the outstanding stock of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution. An Entity does not qualify for this status if the Entity functions (or holds itself out) as an investment fund, such as a private equity fund, venture capital fund, leveraged buyout fund, or any investment vehicle whose purpose is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes.
<b>Start-up NFE</b>	the NFE is not yet operating a business and has no prior operating history, (a “start-up NFE”) but is investing capital into assets with the intent to operate a business within 24 months of the initial organisation of the NFE.
<b>NFEs that are liquidating or emerging from bankruptcy</b>	the NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganising with the intent to continue or recommence operations in a business other than that of a Financial Institution.
<b>Treasury centres that are members of a non-financial group</b>	the NFE primarily engages in financing and hedging transactions with, or for, Related Entities that are not Financial Institutions, and does not provide financing or hedging services to any Entity that is not a Related Entity, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution.
<b>Non-profit NFEs (e.g. charitable organisations)</b>	<p>the NFE meets all of the following requirements (a “non-profit NFE”):</p> <p>i) it is established and operated in its jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in its jurisdiction of residence and it is a professional organisation, business league, chamber of commerce, labour organisation, agricultural or horticultural organisation, civic league or an organisation operated exclusively for the promotion of social welfare;</p> <p>ii) it is exempt from income tax in its jurisdiction of residence;</p> <p>iii) it has no shareholders or members who have a proprietary or beneficial interest in its income or assets;</p> <p>iv) the applicable laws of the NFE’s jurisdiction of residence or the NFE’s formation documents do not permit any income or assets of the NFE to be distributed to, or applied for the benefit of, a private person or non-charitable Entity other than pursuant to the conduct of the NFE’s charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the NFE has purchased; and</p> <p>v) the applicable laws of the NFE’s jurisdiction of residence or the NFE’s formation documents require that, upon the NFE’s liquidation or dissolution, all of its assets be distributed to a Governmental Entity or other non-profit organisation, or revert to the government of the NFE’s jurisdiction of residence or any political subdivision.</p>

If you don't believe your Entity meets any of the above criteria for an Active NFE (and it is not a Financial Institution) then it is likely to be a Passive NFE. In most cases a family trust established for wealth protection, which is an NFE, will be a Passive NFE.

## AEOI – The Automatic Exchange of Financial Account Information in Tax Matters

New Zealand is one of many countries that has committed to new global standards on the automatic exchange of financial account information (AEOI). Financial institutions (such as banks, non-bank deposit takers, collective investment entities, mutual funds, private equity funds, hedge funds, investment managers and advisors, certain brokers and trusts (including some managed family trusts) around the world are required by law to collect information for reporting to tax authorities. Tax authorities will exchange this information to ensure everyone pays the right amount of tax.

The New Zealand Government has enacted laws and entered into international commitments to implement AEOI. This may affect you as a CIP Client or as a person who otherwise holds or controls an account with CIP.

These laws implement AEOI with the:

- United States (US) under the Foreign Account Tax Compliance Act (FATCA). This is for US citizens and tax residents only (including certain US entities) and has applied from 1 July 2014, and
- other countries under the Common Reporting Standard (CRS). The CRS applies from 1 July 2017.

As a NZ financial institution CIP must identify accounts held and (in certain circumstances) controlled by foreign tax residents. We must then generally report prescribed identity and financial information about these accounts (and persons) to the Inland Revenue Department (IRD).

The IRD will then report the account information to the relevant foreign tax authorities where NZ has agreements to exchange this information with them. Similarly, overseas financial institutions must identify their NZ tax resident account holders (and certain controlling persons) and generally report prescribed information about these accounts (and persons) through their local tax authorities. Those tax authorities will then report the account information to the IRD if they have an agreement to exchange this information with NZ.

If you have an account with CIP, that was opened before **30 June 2017**, we may contact you to confirm your country or countries of tax residence to establish whether you have accounts that need to be reported.

We may also contact you if our records indicate that you could be a foreign tax resident. i.e. if you have provided an address or other information for a country outside New Zealand.

**From 1 July 2017**, if you open a new account, we will ask you to self-certify your tax residence by completing forms and documentation and providing other information to identify where you are a tax resident. A self-certification may sometimes not be required if you already have a pre-existing account with us.

#### **Accounts held by entities (e.g. companies, trusts, partnerships)**

**From 1 July 2017**, if you open a new account, on behalf of a legal entity (such as a company) or arrangement (such as a trust or partnership), we will require a self-certification from you to determine whether the account is reportable.

Information that we may ask for includes:

- the entity's tax residence
- the nature of the entity's business
- how the entity derives its income
- how the entity is managed
- the nature of the entity's assets, and
- in some circumstances, the tax residence of individuals who control the entity.

We may also contact you for this information for your pre-existing accounts to help us comply with our obligations under the AEOI laws. Self-certification may sometimes not be required if you already have a pre-existing account with CIP.

If you, your entity or the person(s) you hold an account for are identified or treated as being a foreign tax resident, under the AEOI laws, identity details, account balance, income and payment information, and other account information may be provided to the IRD.

The IRD will send the information to the tax authority in the person(s) jurisdiction(s) of tax residence, if New Zealand has an agreement to exchange information with them. The IRD may also use this information to assist in making sure that everyone pays the right amount of tax as per their responsibilities under the Tax Administration Act 1994.

If you are a New Zealand tax resident and you have accounts in financial institutions overseas, the IRD may receive such information from the tax authority of that jurisdiction(s). This will mean that the IRD receives better information about New Zealand tax residents' offshore investments which will assist them with making sure everyone pays the right amount of tax.

All information reported under these laws is handled in the strictest confidence by the IRD and foreign tax authorities. National laws, administrative practices, and binding international treaties protect the privacy and confidentiality of your information.

#### **AML/KYC Procedures**

The term "AML/KYC Procedures" means our customer due diligence procedures that we have adopted in order to comply with our requirements under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009.

#### **Central Bank**

"Central Bank" means an institution that is the main authority (other than the government in that jurisdiction) for issuing currency.

#### **Control**

"Control" over an Entity is generally exercised by the person(s) who ultimately has a controlling ownership interest (e.g. 25%) in the Entity. Where no person(s) exercises control through ownership interests, the Controlling Person(s) of the Entity will be the person(s) who exercises control of the Entity through other means. Where no natural person(s) is/are identified as exercising control of the Entity through ownership interests, then under the CRS the Reportable Person is deemed to be the person who hold the position of senior managing official.

#### **Controlling Person(s)**

"Controlling Persons" is the natural person(s) who exercises control over an entity. This definition corresponds to the FATCA term "beneficial owner".

For a trust, the Controlling Person(s) are the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiaries, or any other person(s) exercising ultimate effective control over the trust (including through a chain of control or ownership). Under the CRS the settlor(s), the trustee(s), the protector(s) (if any), and the beneficiary(ies) or class(es) of beneficiaries, are always treated as Controlling Persons of a trust, regardless of whether or not any of them exercise control over the activities of the trust.

Where the settlor(s) of a trust is an Entity then the CRS requires Financial Institutions to also identify the Controlling Persons of the settlor(s) and when required report them as Controlling Persons of the trust.

In the case of a legal arrangement other than a trust, Controlling Person(s) means persons in equivalent or similar positions.

A discretionary beneficiary of a trust will not be treated as a controlling person until the beneficiary receives a distribution. this procedure must have reasonable safeguards and procedures for identifying when a distribution is made to the beneficiary.

### **CRS or Common Reporting Standard**

Refers to the standard for the Automatic Exchange of Financial Account Information in

### **Tax Custodial Account**

“Custodial Account” means an account that holds one or more Financial Assets for the benefit of another person.

### **Custodial Institution**

“Custodial Institution” means any Entity that holds, as a substantial portion of its business, Financial Assets for the account of others.

### **Depository Account**

The term “Depository Account” includes any commercial, checking, savings, term, or an account that is evidenced by a certificate of deposit, investment certificate, certificate of indebtedness, or other similar instrument maintained by a Financial Institution in the ordinary course of a banking or similar business.

### **Depository Institution**

“Depository Institution” means any Entity that accepts deposits in the ordinary course of a banking or similar business.

### **Documentary Evidence**

“Documentary Evidence” refers to the documents that are required to verify the identity of an Account Holder, Entity or Controlling Person and includes any of the following:

- a) a certificate of residence issued by an authorised government body (for example, a government or agency) of the jurisdiction in which the payee claims to be a resident.
- b) with respect to an individual, any valid identification issued by an authorised government body (for example, a passport), that includes the individual's name and is typically used for identification purposes.
- c) with respect to an Entity, any official documentation issued by an authorised government body (for example, Certificate of Incorporation for a Company, Trust Deed for a Trust) that includes the name of the Entity and either the address of its principal office in the jurisdiction in which it claims to be a resident or the jurisdiction in which the Entity was incorporated or organised.
- d) any audited financial statement, third-party credit report, bankruptcy filing, or securities regulator's report.

### **Entity**

“Entity” means a legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation.

### **Equity Interest**

“Equity Interest” means, in the case of a partnership that is a Financial Institution, either a capital or profits interest in the partnership. In the case of a trust that is a Financial Institution, an Equity Interest is considered to be held by any person treated as a settlor or beneficiary of all or a portion of the trust, or any other natural person exercising ultimate effective control over the trust. A Reportable Person will be treated as being a beneficiary of a trust if such Reportable Person has the right to receive directly or indirectly (for example, through a nominee) a mandatory distribution or may receive, directly or indirectly, a discretionary distribution from the trust.

### **FATCA (FATCA Specific definitions are included under ‘FATCA Specific Definitions’)**

FATCA is U.S. law enacted in 2010 to target tax evasion by U.S. taxpayers using foreign accounts. FATCA requires foreign financial institutions (FFIs) to report to the Internal Revenue Service (IRS) information about financial accounts held by U.S. taxpayers, or by foreign passive entities in which U.S. taxpayers hold any ownership and/or control interests.

CIP is required to comply with the FATCA Intergovernmental Agreement between NZ and the U.S. including registering with the IRS, carrying out due diligence on accounts and reporting prescribed information about reportable accounts to Inland Revenue Department for exchange with the U.S.).

### **Financial Account**

A Financial Account is an account maintained by a Financial Institution and includes: Depository Accounts; Custodial Accounts; Equity and debt interest in certain Investment Entities; Cash Value Insurance Contracts; and Annuity Contracts.

### **Financial Asset**

The term “Financial Asset” includes a security (for example, a share of stock in a corporation; partnership or beneficial ownership interest in a widely held or publicly traded partnership or trust; note, bond, debenture, or other evidence of indebtedness), partnership interest, commodity, swap (for example, interest rate swaps, currency swaps, basis swaps, interest rate caps, interest rate floors, commodity swaps, equity swaps, equity index swaps, and similar agreements), Insurance Contract or Annuity Contract, or any interest (including a futures or forward contract or option) in a security, partnership interest, commodity, swap, Insurance Contract, or Annuity Contract. The term “Financial Asset” does not include a non-debt, direct interest in real property.

### **Financial Institution**

“Financial Institution” means a “Custodial Institution”, a “Depository Institution”, an “Investment Entity”, or a “Specified Insurance Company”.

## Governmental Entity

“Governmental Entity” means the government of a jurisdiction, any political subdivision of a jurisdiction (which, for the avoidance of doubt, includes a state, province, county, or municipality), or any wholly owned agency or instrumentality of a jurisdiction or of any one or more of the foregoing (each, a “Governmental Entity”). This category is comprised of the integral parts, controlled entities, and political subdivisions of a jurisdiction.

- a) An “integral part” of a jurisdiction means any person, organisation, agency, bureau, fund, instrumentality, or other body, however designated, that constitutes a governing authority of a jurisdiction. The net earnings of the governing authority must be credited to its own account or to other accounts of the jurisdiction, with no portion inuring to the benefit of any private person. An integral part does not include any individual who is a sovereign, official, or administrator acting in a private or personal capacity.
- b) A controlled entity means an Entity that is separate in form from the jurisdiction or that otherwise constitutes a separate juridical entity, provided that:
  - i) the Entity is wholly owned and controlled by one or more Governmental Entities directly or through one or more controlled entities;
  - ii) the Entity’s net earnings are credited to its own account or to the accounts of one or more Governmental Entities, with no portion of its income inuring to the benefit of any private person; and
  - iii) the Entity’s net earnings are credited to its own account or to the accounts of one or more Governmental Entities, with no portion of its income inuring to the benefit of any private person; and
  - iii) the Entity’s assets vest in one or more Governmental Entities upon dissolution.
- c) Income does not inure to the benefit of private persons if such persons are the intended beneficiaries of a governmental programme, and the programme activities are performed for the general public with respect to the common welfare or relate to the administration of some phase of government. Notwithstanding the foregoing, however, income is considered to inure to the benefit of private persons if the income is derived from the use of a governmental entity to conduct a commercial business, such as a commercial banking business, that provides financial services to private persons.

## International Organisation

“International Organisation” means any international organisation or wholly owned agency or instrumentality thereof. This category includes any intergovernmental organisation (including a supranational organisation) (1) that is comprised primarily of governments; (2) that has in effect a headquarters or substantially similar agreement with the jurisdiction; and (3) the income of which does not benefit private persons.

## Investment Entity

“Investment Entity” includes two types of Entities:

(i) an Entity that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:

- Trading in money market instruments (cheques, bills, certificates of deposit, derivatives, etc.); foreign exchange; exchange, interest rate and index instruments; transferable securities; or commodity futures trading; Individual and collective portfolio management; or Otherwise investing, administering, or managing Financial Assets or money on behalf of other persons.

Such activities or operations do not include rendering non-binding investment advice to a customer.

(ii) The second type of “Investment Entity” (“Investment Entity managed by another Financial Institution”) is any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets where the Entity is managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity.

An entity is treated as primarily conducting as a business one or more of the activities described in (i), or an entity’s gross income is primarily attributable to investing, reinvesting, or trading in Financial assets for (ii) above, if the Entity’s gross income attributable to the relevant activities equals or exceeds 50% of the Entity’s gross income during the short of: (i) the three year period ending on 31 March of the year preceding the year in which the determination is made; or (ii) the period during which the Entity has been in existence. The term ‘Investment Entity’ does not include an Entity that is an Active NFE because it meets any of the criteria described above in relation to ‘Active NFEs subparagraphs d) to g).

## Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution

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

## Investment Entity managed by another Financial Institution

An Entity is “managed by” another Entity if the managing Entity performs, either directly or through another service provider on behalf of the managed Entity, any of the activities or operations described in clause (i) above in the definition of ‘Investment Entity’.

An Entity only manages another Entity if it has discretionary authority to manage the other Entity’s assets (either in whole or part). Where an Entity is managed by a mix of Financial Institutions, NFEs or individuals, the Entity is considered to be managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity, if any of the managing Entities is such another Entity.

## IR1033

IRD's brochure on the Automatic Exchange of Information – refer to [www.ird.govt.nz](http://www.ird.govt.nz)

### NFE or Non-Financial Entity

An “NFE” is any Entity that is not a Financial Institution.

### Non-Reporting Financial Institution

- A Non-Reporting Financial Institution” means any Financial Institution that is: a Governmental Entity, International Organisation or Central Bank, other than with respect to a payment that is derived from an obligation held in connection with a commercial financial activity of a type engaged in by a Specified Insurance Company, Custodial Institution, or Depository Institution; a Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Governmental Entity, International Organisation or Central Bank; or a Qualified Credit Card Issuer; any other Entity that presents a low risk of being used to evade tax, has substantially similar characteristics to any of the Entities described in subparagraphs B(1)(a) and (b), and is defined in domestic law as a Non-Reporting Financial Institution, provided that the status of such Entity as a Non-Reporting Financial Institution does not frustrate the purposes of the Common Reporting Standard; an Exempt Collective Investment Vehicle; or a Trustee-Documented Trust: a trust where the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported with respect to all Reportable Accounts of the trust.

### Participating Jurisdiction

A Participating Jurisdiction means a jurisdiction that has signed an agreement to provide the information required under the Common Reporting Standard and that is identified in a published list.

### Participating Jurisdiction Financial Institution

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

### Passive Income

Passive income refers generally to the portion of gross income that consists of: dividends (including substitute dividend payments); interest; income equivalent to interest; rents and royalties (other than those derived in the active conduct of a trade or business conducted, at least in part, by employees); annuities; net gains from the sale of property that gives rise to passive income; net gains from certain transaction in commodities; net foreign currency gains; net income from notional principal contracts; amounts received under cash value insurance contracts; and amounts received by an insurance company in connection with its reserves for insurance and annuity contracts.

### Passive Non-Financial Entity (Passive NFE)

In broad terms, a passive NFE will generally cover an entity that:

- **is not** a financial institution; and
- **either** derives predominantly (50% or more) passive income **and/or** has assets that predominantly produce or are held for the production of passive income.

However, there are some exceptions to this. For example, if a registered charity is an NFE it would generally be an active NFE even if it derives predominantly passive income.

A managed investment entity that is tax resident in a jurisdiction that is **not** a Participating Jurisdiction is also deemed to be a passive NFE.

### Penalties

Penalties under the AEOI laws may apply if you provide false or misleading information, fail to provide this information, or fail to provide an update if there is a material change to the information you have provided.

This includes civil penalties of \$1,000 per offence that the Inland Revenue can apply. Substantial criminal penalties can be applied by the courts for knowledge-based offences. These penalties apply for the purposes of both CRS and FATCA.

These requirements help ensure the AEOI laws worldwide are effective. They increase tax transparency by identifying people who have offshore accounts and investments. Other countries that are implementing the AEOI have similar provisions in place.

### Pension fund of a Governmental Entity, International Organisation or Central Bank

“Pension Fund of a Governmental Entity, International Organisation or Central Bank” means a fund established by a Governmental Entity, International Organisation or Central Bank to provide retirement, disability, or death benefits to beneficiaries or participants that are current or former employees (or persons designated by such employees), or that are not current or former employees, if the benefits provided to such beneficiaries or participants are in consideration of personal services performed for the Governmental Entity, International Organisation or Central Bank.

### Related Entity

An Entity is a “Related Entity” of another Entity if (a) either Entity controls the other Entity; (b) the two Entities are under common control; or (c) the two Entities are Investment Entities that are under common management, and such management fulfils the due diligence obligations of such Investment Entities. For this purpose, control includes direct or indirect ownership of more than 50% of the vote and value in an Entity.

### Reportable Account

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

## **Reportable Jurisdiction**

A Reportable Jurisdiction is a jurisdiction with which an obligation to provide financial account information is in place and that is identified in a published list.

## **Reportable Jurisdiction Person**

“Reportable Jurisdiction Person” means an individual or Entity that is resident in a Reportable Jurisdiction under the tax laws of such jurisdiction, or an estate of a decedent that was a resident of a Reportable Jurisdiction. For this purpose, an Entity such as a partnership, limited liability partnership or similar legal arrangement that has no residence for tax purposes shall be treated as resident in the jurisdiction in which its place of effective management is situated.

## **Reportable person**

“Reportable Person” means a Reportable Jurisdiction Person other than: (i) a corporation the stock of which is regularly traded on one or more established securities markets; (ii) any corporation that is a Related Entity of a corporation described in clause (i); (iii) a Governmental Entity; (iv) an International Organisation; (v) a Central Bank; or (vi) a Financial Institution.

## **Reporting Financial Institution**

“Reporting Financial Institution” means any Participating Jurisdiction Financial Institution that is not a Non-Reporting Financial Institution.

## **Resident for tax purposes**

Each jurisdiction has its own rules for defining tax residence, and jurisdictions have provided information on how to determine whether an entity is tax resident in the jurisdiction on the OECD automatic exchange of information portal. Generally, an Entity will be resident for tax purposes in a jurisdiction if, under the laws of that jurisdiction (including tax conventions), it pays or should be paying tax therein by reason of domicile, residence, place of management or incorporation, or any other criterion of a similar nature, and not only from sources in that jurisdiction.

Dual resident Entities may rely on the tiebreaker rules contained in tax conventions (if applicable) to solve cases of double residence for determining their residence for tax purposes. An Entity such as a partnership, limited liability partnership or similar legal arrangement that has no residence for tax purposes shall be treated as resident in the jurisdiction in which its place of effective management is situated.

## **Specified Insurance Company**

“Specified Insurance Company” means any Entity that is an insurance company (or the holding company of an insurance company) that issues, or is obligated to make payments with respect to, a Cash Value Insurance Contract or an Annuity Contract.

## **TIN (including “functional equivalent”)**

“TIN” means Taxpayer Identification Number or a functional equivalent in the absence of a TIN. A TIN is a unique combination of letters or numbers assigned by a jurisdiction to an individual or an Entity and used to identify the individual or Entity for the purposes of administering the tax laws of such jurisdiction. In NZ a TIN is the IRD number. Further details of acceptable TINs can be found at the **OECD automatic exchange of information portal**.

Some jurisdictions do not issue a TIN. However, these jurisdictions often utilise some other high integrity number with an equivalent level of identification (a “functional equivalent”). Examples of that type of number include, for individuals, a social security/insurance number, citizen/personal identification/service code/number, and resident registration number. Examples of this type of number include, for entities, a business/company registration code/number.