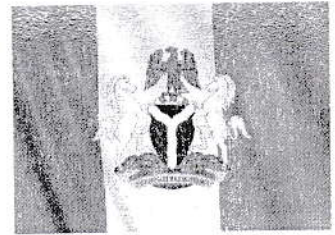




Self-Certification Form – Controlling Person



To: (Name of Financial Institution)
(Address of Financial Institution)
Ref No: (Correspondence Number with the Financial Institution)

GENERAL INSTRUCTION(S)

Please read these instructions before completing the form.

The Income Tax (Common Reporting Standard) Regulation, 2019 requires *financial institutions* to collect and report certain information on financial accounts for Controlling Person by filling the *Self-Certification Form*.

The *Self-Certification Form* is therefore, provided by the *financial institution* for the purpose of obtaining information for exchange with other reportable *jurisdiction(s)*.

This form is to be administered on a Controlling person of the Account holder and retained by the Financial Institution in hard and soft copy. It is to be made available to the FIRS, only upon request.

There are five (5) parts that **must** be completed (unless not applicable or otherwise). Fields marked with an asterisk (*) are mandatory and must be reported accordingly.

PART 1: This deals with identification of Controlling Person details.

PART 2: This requires the Controlling Person to enter the name of the *entity Account Holder(s)* in which he/she is controlling.

PART 3: This requires the account holder to clearly define his/her *jurisdiction(s)* of residence for tax purposes and related *Tax Identification Number* or equivalent number (*as the case may be*)

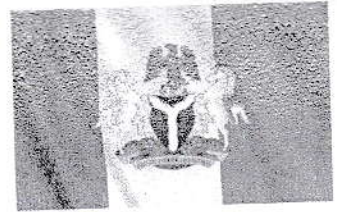
PART 4: Type of *Controlling Person* for each Entity stated in Part 2.

PART 5: This requires the *Account Holder* to certify that the information supplied in the *Self-Certification Form* is accurate and complete. If signing under a *Power of Attorney*, please also attach a certified copy.

This form remain valid unless there is a change in circumstances related to information supplied earlier in the *Self-Certification Form*. In such a case, the Controlling Person(s) **“must”** notify the *Financial Institution* of any such change and take steps to update his/her records in accordance with the commentaries of the **Income Tax (CRS) Implementation and Compliance Guidelines**.

There is an Appendix at the end of this form, with a brief description of some key terms. This is provided to aid in filling the form correctly.

Financial Institution(s) are allowed to make adjustments to this form according to their own business needs, as long as the mandatory elements are captured in accordance with the commentaries in the Income Tax (CRS) Implementation and Compliance Guidelines.



Part 1 – Identification of a Controlling Person

(1) **Name of Controlling Person**

Title (e.g. Mr, Mrs, Ms, Miss)

Last Name or Surname *

First or Given Name *

Middle Name(s)

(2) **Identity Card or Passport Number**

(3) **Current Residence Address**

Line 1 (e.g. Suite, Floor, Building, Street, District)

Line 2 (City) *

Line 3 (e.g. Province, State)

Country *

Post Code/ZIP Code

Phone Number(s) *

(4) **Mailing Address (Complete if different from the current residence address)**

Line 1 (e.g. Suite, Floor, Building, Street, District)

Line 2 (City) *

Line 3 (e.g. Province, State)

Country *

Post Code/ZIP Code

(5) **Date of Birth *** (dd/mm/yyyy)

(6) **Place of Birth (Not compulsory)**

Town/City

Province/State

Country

Part 2 – The Entity Account Holder(s) of which you are a Controlling Person*

Enter the name of the Entity Account

Entity	Name of the Entity Account Holder
(1)	
(2)	
(3)	

Part 3 – Jurisdiction of Residence and Taxpayer Identification Number or its Functional Equivalent ("TIN")*

Complete the following table indicating (a) the jurisdiction of residence where the controlling person is a **resident for tax purposes** and (b) the controlling person's TIN for each jurisdiction indicated. Indicate **all** jurisdictions of residence. Note that, this is not restricted to three (3), additional information should be completed on a separate sheet. (See "TIN" in appendix of Key Terms below)

Documentary Evidence of the TIN should be provided.

If a TIN is unavailable, provide the appropriate reason A, B or C:

Reason A – The jurisdiction where the controlling person is a resident for tax purposes does not issue TIN to its residents.

Reason B – The controlling person is unable to obtain a TIN. Explain why the controlling person is unable to obtain a TIN if you have selected this reason.

Reason C – TIN is not required. Select this reason only if the authorities of the jurisdiction of residence do not require the TIN to be disclosed.

Country/Jurisdiction of tax residence	TIN	If no TIN available enter Reason A, B or C	Explain why the account holder is unable to obtain a TIN if you have selected Reason B
1			
2			
3			

Self-Certification Form – Controlling Person



Part 4 – Type of Controlling Person

(Tick the appropriate box to indicate the type of controlling person for each stated in Part 2)

Type of Entity	Type of Controlling Person	Entity (1)	(Entity 2)	Entity (3)
Legal Person	Individual who has a controlling ownership interest (i.e. more than 25% of issued share capital)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Individual who exercises control/is entitled to exercise control through other means (i.e. more than 25% of voting rights)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Individual who holds the position of senior managing official/ exercises ultimate control over the management of the entity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trust	Settlor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Trustee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Protector or enforcer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Beneficiary or member of the class of beneficiaries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (e.g. individual who exercises control over another entity being the settlor/trustee/protector or enforcer/beneficiary)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Arrangement other than Trust	Individual in a position equivalent/similar to settlor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Individual in a position equivalent/similar to trustee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Individual in a position equivalent/similar to protector or enforcer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Individual in a position equivalent/similar to beneficiary or member of the class of beneficiaries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (e.g. individual who exercises control over another entity being equivalent/similar to settlor/trustee/protector or enforcer/beneficiary)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Part 5 – Declaration and Signature

I acknowledge and agree that (a) the information contained in this form is collected and may be kept by the financial institution for the purpose of automatic exchange of financial account information, and (b) such information and information regarding the account holder and any reportable account(s) may be reported by the financial institution to the **FEDERAL INLAND REVENUE SERVICE** and exchanged with the tax authorities of another jurisdiction or jurisdictions in which the account holder may be resident for tax purposes.

I certify that I am a controlling person of the account holder of all the account(s) to which this form relates.

I undertake to advise _____ (state the name of the financial institution) of any change in circumstances which affects the tax residency status of the individual identified in Part 1 of this form or causes the information contained herein to become incorrect, and to provide _____ (state the name of the financial institution) with a suitably updated Self-Certification Form within 30 days of such change in circumstances.

I declare that the information given and statements made in this form are, to the best of my knowledge and belief, true, correct and complete.

Signature: _____

Name: _____

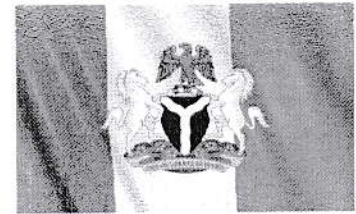
Capacity: _____

Date (dd/mm/yyyy): _____

(Indicate the capacity in which you are signing.)

If signing under a power of attorney, attach a certified copy of the power of attorney.)

WARNING: It is an offence under section 10(3) of the Income Tax (CRS) Regulations, 2019 for any person, in making a Self-Certification, makes a false statement, false report or false declaration or gives any false information or omission in respect of any information required to be included on an Information Return under regulation 5 of these Regulations, the Service shall



APPENDIX – BRIEF DESCRIPTION OF KEY TERMS

“Controlling Persons of a trust, means the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiaries, and any other natural person(s) exercising ultimate effective control over the trust (including through a chain of control or ownership). The settlor(s), the trustee(s), the protector(s) (if any), and the beneficiary(ies) or class(es) of beneficiaries, must always be treated as Controlling Persons of a trust, regardless of whether or not any of them exercises control over the activities of the trust.

“Account Holder” The term “Account Holder” means the person listed or identified as the holder of a Financial Account. A person, other than a Financial Institution, holding a Financial Account for the benefit of another person as an agent, a custodian, a nominee, a signatory, an investment advisor, an intermediary, or as a legal guardian, is not treated as the Account Holder. In these circumstances that other person is the Account Holder. For example in the case of a parent/child relationship where the parent is acting as a legal guardian, the child is regarded as the Account Holder. With respect to a jointly held account, each joint holder is treated as an Account Holder.

“Active NFE” An NFE is an Active NFE if it meets any of the criteria listed below. In summary, those criteria refer to:

- active NFEs by reason of income and assets;
- publicly traded NFEs;
- Governmental Entities, International Organisations, Central Banks, or their wholly owned Entities;
- holding NFEs that are members of a nonfinancial group;
- start-up NFEs;
- NFEs that are liquidating or emerging from bankruptcy;
- treasury centres that are members of a nonfinancial group; or
- non-profit NFEs.

“Control” over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest (typically on the basis of a certain percentage (e.g. 25%)) in the Entity. Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the Entity will be the natural person(s) who exercises control of the Entity through other means. Where no natural person or persons are identified as exercising control of the Entity through ownership interests, the Controlling Person of the Entity is deemed to be the natural person who holds the position of senior managing official.

“Controlling Person” This is a natural person who exercises control over an entity. Where that entity is treated as a Passive Non-Financial Entity (“NFE”) then a Financial Institution must determine whether such Controlling Persons are Reportable Persons. This definition corresponds to the term “beneficial owner” as described in Recommendation 10 and the Interpretative Note on Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012).

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

“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.

“Investment Entity” The term “investment Entity” includes two types of Entities:

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



“Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution” is 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 resident in, or a branch located in, a Participating Jurisdiction.

“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.

“Participating Jurisdiction” A “Participating Jurisdiction” means a jurisdiction with which an agreement is in place pursuant to which it will provide the information required on the automatic exchange of financial account information set out in the Common Reporting Standard and that is identified in a published list <https://www.oecd.org/tax/transparency/AEOI-commitments.pdf>

“Participating Jurisdiction Financial Institution” The term “Participating Jurisdiction Financial Institution” means (i) any Financial Institution that is tax 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 NFE” Under the CRS a “Passive NFE” means any NFE that is not an Active NFE. An Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution is also treated as a Passive NFE for purposes of the CRS.

“Reportable Account” The term “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 : <https://www.firs.gov.ng/SiteApplication/Home/Home.aspx>

“Reportable Person” A Reportable Person is an individual (or entity) that is tax resident in a Reportable Jurisdiction under the laws of that jurisdiction. The Account Holder will normally be the “Reportable Person”; however, in the case of an Account Holder that is a Passive NFE, a Reportable Person also includes any Controlling Persons who are tax resident in a Reportable Jurisdiction. 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 residence for tax purposes.

“TIN” (including “functional equivalent”) The term “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. Further details of acceptable TINs can be found at the OECD automatic exchange of information portal. <https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/>.

Note: These are selected definition of key terms to aid you with the completion of this form. Further details can be found in the *Income Tax (CRS) Implementation and Compliance Guidelines 2019*, the OECD Common Reporting Standard for Automatic Exchange of Financial Account Information (the CRS”), the associated Commentaries to the CRS. This can be found at the OECD automatic exchange of information portal.

For **Enquiries** contact your tax adviser or **FIRS Enquiry Desk: aeoi.enquiries@firs.gov.ng**.