



Additional information

Alior Bank SA as the distributor of participation units in a collective investment institutions is entitled to transfer the data contained in this statement, as well as information about detection of indicia causing doubts on the credibility of the statement, to the collective investment institutions whose participation units have been or will be, in the future, handled on the basis of Client's orders or instructions submitted in Alior Bank SA, as well as to a providers of services of maintaining a register of participants to these institutions. The purpose of the transfer of the above-mentioned data, is the fulfilment of the obligations arising from FATCA legislation and CRS legislation for the collective investment institutions in the scope of determination of a tax residence of customers of these institutions, including the identification of customers being a taxpayers of the United States.

1. The data administrator is Alior Bank Spółka Akcyjna with its registered office in Warsaw, Łopuszańska 38D Street, 02-232 Warsaw (hereinafter: „Alior Bank SA”), registered in the District Court for the Capital City of Warsaw in Warsaw, XIII Division of the National Court Registry under numbers KRS 0000305178 , NIP 1070010731, REGON 141387142, share capital (paid-up capital): PLN 1 304 587 160.
2. Indication of tax residence other than Poland in Part I or Part III of this declaration or choosing the "Specified .American Person" status imposes on Alior Bank SA reporting obligations for the transmission to the authorities of the state tax administration indicated in Part I or III of this statement or the United States (through the tax authorities of the Republic of Poland) the details of the account and its Holder, required by the law.
3. Alior Bank SA is obliged to verify the credibility of the declaration. In case of identifying any evidence that questions the credibility of the declaration, Alior Bank SA is obliged to fulfill the reporting obligations referred to in the point 1 above. In order to verify the reliability of the declaration, Alior Bank SA may request for additional documents necessary for the verification process.
4. If the status indicated in the declaration changes, the client is obliged to file another declaration in accordance with the new factual and legal circumstances within 30 days from the day on which the change of circumstances has taken place.
5. Declaration can be submitted only by an authorised person.

I. The definitions of the categories of institutions for the purposes of the Act of 9 March 2017 on international exchange of fiscal information (hereinafter: the “CRS Act”) and the agreement of 7 October 2014 between the Government of the United States of America and the Government of the Republic of Poland to Improve International Tax Compliance and to Implement FATCA (hereinafter: the “Agreement”):

1. Tax residency

Tax residency of the specified country should be understood as being liable to tax on worldwide income in this country and in accordance with the provisions of its national law of the place of residence, registered office, effective management or any other criterion of a similar nature. The national law of other countries may provide different conditions for the formation of tax residence in these countries. Residency for tax purposes should be determined according to the relevant provisions of the agreements on avoidance of double taxation.

In the case of an entity who does not have the tax residence (i.e. a partnership of commercial law not being a taxpayer according to CIT regulations), as the country of residence should be indicated the country from which the entity is effectively managed, the country under the laws of which it was established or the country in which it is subject to financial supervision.

In rare cases it is possible to have more than one tax residence. In such a situation, please provide us with the information about all countries which the account holder or the beneficial owner is the resident in.

In case of doubts in determining the tax residence we recommend to contact your tax advisor.

2. Specified U.S. Person (American taxpayer for the purpose of FATCA)

A company or other entity established in the United States or entity acting under the laws of the United States with the exception of the categories stipulated as U.S Person other than the Specified U.S. Person described in Part I, point 3 below.

3. U.S. Person other than a Specified U.S. Person.

An entity that meets the indicia listed in the point 2 above (has its registered office in the United States of America), which at the same belongs to the one of the following categories:

- 1) an entity traded on a securities market or related with such an entity,
- 2) a US bank,
- 3) an organization exempt from taxation under the regulations of the USA,
- 4) the subject of a federal or state government,
- 5) an American investment company,
- 6) a dealer in securities or broker,
- 7) a trust fund

4. Registered Deemed Compliant or Participating Financial Institution

A financial institution (i.e. bank, insurance company offering investment products, brokerage, investment fund or entity engaged in the storage of assets) in a country that has signed the IGA (Agreement with the Government of the United States legislation implementing FATCA) and is complying with FATCA regulations. Category above includes also Polish financial institutions registered on the Internal Revenue Service (IRS) portal.

Category above includes also financial institution, which holds the current applicable civil law contract for the implementation of FATCA regulations of the Internal Revenue Service.

5. Non-Participating Financial Institution

A Financial Institution that does not comply with the FATCA regulations ie. a financial institution not falling within any of the categories mentioned in point. 3 and 4 above and 6 below.

6. Certified Deemed Compliant

A group of financial institutions exempt from obligations under FATCA and not obliged to register on the IRS portal, which includes the following categories:

- 1) Financial Institutions with a local client base,
- 2) Local Banks,
- 3) Financial Institutions offering low-value accounts,
- 4) Qualified Credit Card Issuers,
- 5) Investment Advisors,
- 6) entities being an Investment Entity within the meaning of FATCA, satisfying the requirements provided for in the Appendix II to the Agreement.

Detailed definitions of the above-mentioned categories of entities are indicated in the Annex II of the Agreement.

7. Active Non-Financial Foreign Entity – a corporation the stock of which is regularly traded on an established securities market or a corporation which is a related entity of such a corporation

Category above includes: the entity whose shares are the subject of regular trading on one or more recognized securities markets, the company related to the company referred to in paragraph 1 above.

8. Active Non-Financial Foreign Entity – a Governmental Entity, an International Organization, a Central Bank

Category above includes:

- 1) governmental entities such as the government of any state; territorial units of the country (eg. the states, provinces, municipalities); agencies, institutions, organizations, funds or other state or government unities; entities that are wholly owned by government entities or controlled directly or indirectly by the government;
- 2) international organizations which include mainly the governments which have concluded with the Member State agreement on the location of the seat, and no portion of its income inuring to the benefit of any private person;
- 3) central bank.

9. Active Non-Financial Foreign Entity – other

Entities considered to be an Active NFFE are the entities that are not financial institutions and meet one of the following requirements:

- 1) more than 50% of the gross income of the entity for the preceding calendar year is an active income (i.e. other than investment income such as interest, dividends, revenues from the sales of securities, derivatives, investment funds, etc.) and more than 50% of the assets held by this entity during the preceding calendar year are assets that produce active income,
- 2) companies in organization or in liquidation,
- 3) non-profit entities, exempt from taxation in the country of residence.

10. Passive Non-Financial Foreign Entity

Entities considered to be Passive NFFE are entities that are not financial institution and do not fall within any of the categories mentioned in point. 8 above. In particular, this definition refers to the entities that mainly gain investment revenue and at the same time do not meet any of the conditions for Active Non-Financial Entity referred to in point. 8 above.

According to the Directive, a Passive NFFE is also considered to be an investment entity (e.g. investment fund) that is located in a country which do not comply with OECD regulations for the automatic exchange of information on financial accounts (i.e. Common Reporting Standard).

Beneficial Owner, it shall mean:

1. a natural person or natural persons who are owners of a legal entity or exercise control over a client or have an impact on a natural person on whose behalf a transaction or activity is being conducted,
2. a natural person or natural persons who are stakeholders or shareholders or have the voting right at shareholders meetings at the level of above 25% within such a legal entity, therein by means of block of registered shares, with the exception of companies whose securities are traded within the organised trading, and are subject to or apply the provisions of the European Union laws on disclosure of information, and any entities providing financial services in the territory of a EU-Member State or an equivalent state in the case of legal entities,
3. a natural person or natural persons who exercises control over at least 25% of the asset values - in the case of entities entrusted with the administration of asset values and the distribution of, with the exception of the entities carrying out activities referred to in Article 69 item 2 point 4 of the Act of 29 July 2005 on trading in financial instruments.

The above definitions are general. A detailed definition of each of the entities is contained in:

- a. Act of 9 March 2017 on international exchange of fiscal information;
- b. Agreement of 7 October 2014 between the Government of the United States of America and the Government of the Republic of Poland to Improve International Tax Compliance and to Implement FATCA;
- c. Act of October 9th 2015 on the execution of the Agreement between the Government of the United States of America and the Government of the Republic of Poland to Improve International Tax Compliance and to Implement FATCA and the accompanying final arrangements.