MZ INVESTMENTS

Glossary FATCA and CRS - Entities

This Glossary has been compiled by MZ Investments to assist you with completing the self-certification form. For further details you should refer to the FATCA and CRS regulations. MZ Investments makes no guarantee of the accuracy and completeness of these selected definitions and is not responsible for any errors nor shall MZ Investments, its directors or employees, be liable for any loss that result from reliance upon the provided definitions. This document is not to be considered as providing any form of legal or tax advice. **If you are not sure whether a definition is applicable for you, it is recommended that you consult your tax advisor**.

For further reference please refer to the following links: www.irs.gov/fatca, **and** https://cfr.gov.mt/en/inlandrevenue/itu/pages/automatic-exchange-of-financial-account-information.aspx.

Account Holder	the person listed or identified as the holder of a Financial Account with MZ Investments
Active NFE – CRS Definition	Any NFE that meets any of the following criteria: a. Less than 590% 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; or b. The stock of the NFE is regularly and publicly traded on an Established Securities Market (vide Annex 1) or the NFE is an Affiliate of a Publicly Traded Entity on an Established Securities Market (vide Annex 1); or c. A Governmental Entity (vide below for definition), an International Organisation (vide below for definition), a Central Bank (vide below for definition) or an Entity wholly owned by one or more of the foregoing can be classified as a NFE; or d. 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, except that 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; or 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; or e. The NFE is a Start-up Entity, i.e. is not yet operating a business and has no prior operating history, but is investing capital into assets with the intent to operate a business other than that of a Financial Institution, provided that the NFE does not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFE; or f. The NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganizing with the intent to continue or recommence operations in a business other than that of a Financial Institution; or

	g. A Non-Profit Organisation can be an NFE, it meets all of the following requirements: i. It is established and operated in its EU Member State or other jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in its EU Member State or other 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; and ii. It is exempt from income tax in its EU Member State or other jurisdiction of residence; and iii. It has no shareholders or members who have a proprietary or beneficial interest in its income or assets; and iv. The applicable laws of the NFE's EU Member State or other 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 v. The applicable laws of the NFE's EU Member State or other 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 escheat to the government of the NFE's EU Member State or other jurisdiction of residence or any political subdivision thereof.
Active Non-Financial Foreign Entity (Active NFFE) – FATCA definition	The definition of an Active NFFE is similar to the definition of an Active NFE. Certain U.S. (organised) entities are however excluded from the definition of an Active NFFE. Please refer to the applicable provisions for the differences. If an NFFE / NFE does not fulfil any of the Active NFFE / NFE requirements, then the said entity is considered a Passive NFFE / NFE. Vide Definition for Passive NFFE / NFE below.
Affiliated Entity	An entity that is affiliated /related to another Entity if either Entity controls the other Entity, or the two Entities are under common control. For this purpose control includes direct or indirect ownership of more than 50% of the vote and value in an Entity.
Central Bank	an institution that is by law or government sanction the principal authority, other than the government of the jurisdiction itself, issuing instruments intended to circulate as currency. Such an institution may include an instrumentality that is separate from the government of the jurisdiction, whether or not owned in whole or in part by the jurisdiction.
Certified deemed-compliant FFI	An FFI that has certified as to its status as a deemed-compliant FFI by providing a withholding agent with the documentation applicable to the relevant deemed-compliant category. A certified deemed-compliant FFI is not required to register with the United States Internal Revenue Service (IRS). Certified deemed-compliant FFIs include the following FFIs: a. A non-registering local bank; b. An FFI with only low-value accounts; c. A sponsored, closely held investment vehicle; d. A limited life debt investment entity; e. Certain investment advisors and investment managers.
Controlled foreign Corporation	Under FATCA, a CFC is a corporate entity that is registered and conducts business in a different jurisdiction or country than the residency of the controlling owners. Control of

	the foreign company is defined, in the U.S., according to the percentage of shares owned by U.S. citizens. Vide Sponsored Investment Entity / FFI below.
Common Reporting Standard (CRS)	The Organisation for Economic Co-operation and Development's (OECD) Common Reporting Standard (CRS) sets forth a globally-coordinated approach to the disclosure of information regarding income earned by individuals and organizations. CRS is the result of extensive work from the OECD, the G20 and the European Union in the area of automatic exchange of information and anti-money laundering. CRS draws heading on FATCA and related Inter Governmental Agreements having acted as a catalyst for the move towards the automatic exchange of information in a multilateral context. CRS has been live since 1 January 2016 in "early adopters" jurisdictions, among which Luxembourg and Germany, where Financial Institutions have started to collect data on new account opening for the first information exchange in 2017. Other jurisdictions will join CRS with a one year delay, undertaking the first exchange of information in 2018.
Entity	A legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation. This term covers any person other than an individual (i.e. a natural person).
Entity Account Holder	An entity that maintains a financial account with MZ Investments.
FATCA	The Foreign Account Tax Compliance Act which is U.S. tax regulation aimed at combatting tax evasion by U.S. taxpayers. FATCA was implemented in a number of countries, including Malta, with effect from the 1 July 2014.
Financial Account	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 (as these terms are defined in the FATCA and CRS Regulations)
Financial Institution	A "Custodial Institution", a "Depository Institution", an "Investment Entity", or a "Specified Insurance Company" as more fully explained in the FATCA and CRS Regulations. There are 5 types of Financial Institutions: 1. **Custodial Institution**: an entity that holds, as a substantial portion of its business, financial assets for the account of others. An entity holds financial assets for the account of others as a substantial portion of its business if the entity's gross income attributable to the holding of financial assets and related financial services equals or exceeds 20% of the entity's gross income during the shorter of: • Three years prior to the current year; or • The period since the establishment of the entity. 2. Depository Institution: an entity that deposits in the ordinary course of a banking or similar business. A Depository Financial Institution entity is one that accepts deposits in the ordinary course of a banking or similar business. An Entity is considered to be engaged in a "banking or similar business" if, in the ordinary course of its business with customers, the Entity accepts deposits or other similar investments of funds and regularly engages in one or more of the following activities: a. Makes personal, mortgage, industrial, or other loans or provides other extensions of credit; b. Purchases, sells, discounts, or negotiates accounts receivable, installment obligations, notes, drafts, checks, bills of exchange, acceptances, or other evidences of indebtedness; c. Issues letters of credit and negotiates drafts drawn thereunder; d. Provides trust or fiduciary services; e. Finances foreign exchange transactions; or

	f. Enters into purchases, or disposes of finance leases or leased assets. Savings banks, commercial banks, savings and loan associations, and credit unions would generally be considered Depository Institutions. 3. **Investment Entity includes two types of Entities:** a. The first type of Investment Entity is an Entity that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer: i. 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; or ii. Individual and collective portfolio management; or iii. 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. b. 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. 4. **Specified Insurance Company**: an 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. 5. **"Holding Company or Treasury Centre of Financial Groups"** means an Entity that is a holding company or treasury centre that is part of a group of Related Entities and that meets the criteria below is also to be considered as a Financial Institution (more specifically as Investment Entities) where any other Entity within that group is a Financial Institution: a. A company (Holding Company) whose primary activity includes the holding of (directly or indirectly) all or part of the outstanding stock of one or more Related Entities that are Financial Institutions; or b. An Entity (Treasury Centre) whose primary activity includes entering into hedging and financing transactions with or for Related Entities that are Financial Institutions; or c. A Holding Company or Treasury Centre that is formed in connection with or used by a collective investment scheme, mutual fund, exchange traded fund, private equity fund, hedge fund, venture capital fund, leveraged buyout fund, or any similar investment vehicle that are established with an investment strategy of investing, reinvesting, or trading in financial assets.
GIIN	Global Intermediary Identification Number
Governmental Entity (vide Active NFE)	The government of an EU Member State or other jurisdiction, any political subdivision of an EU Member State or other jurisdiction (which, for the avoidance of doubt, includes a state, province, county, or municipality), or any wholly owned agency or instrumentality of an EU Member State or other 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 an EU Member State or other jurisdiction.
Intergovernmental agreements (IGAs)	These are intended to enable FFIs to identify and report to the IRS U.S. persons that hold assets abroad and for certain non-financial foreign entities (NFFEs) to identify their substantial U.S. owners. In order to comply with the rules, FFIs are required to enter into

	an FFI agreement with the U.S. Treasury or comply with IGAs entered into by their local jurisdictions. U.S. Withholding Agents (USWAs) must document all of their relationships with foreign entities in order to assist with the enforcement of the rules.
International Organizations	Any international organization or wholly owned agency or instrumentality thereof. This category includes any intergovernmental organization (including a supranational organization): a. that is comprised primarily of governments; and b. that has in effect a headquarters or substantially similar agreement with a jurisdiction; and c. the income of which does not inure to the benefit of private persons.
Investment entity located in a non-participating jurisdiction and managed by another financial institution	Any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in financial assets if the Entity is: a. managed by a Financial Institution; and b. is not a Participating Jurisdiction Financial Institution.
Investment Entity managed by another financial institution	An Entity 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 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/ NFFEs 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.
Malta Financial Institution	i. Any Financial Institution that is resident in Malta, but excludes any branch of that Financial Institution that is located outside Malta; and ii. Any branch of a Financial Institution that is not resident in Malta, if that branch is located in Malta.
Non-EU Reportable Jurisdiction	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 Financial Account information as set out in the CRS Regulations.
Non-Financial Group Entity in relation to FATCA & CRS – Active NFFE/NFE	a. Is a non-U.S. entity that is not a Financial Institution (vide definition of Financial Institution); and b. Is a member of a non-financial group; and c. Is a holding company and substantially all of the activities of the Entity consist of holding (in whole or in part) the outstanding stock of one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution. (An entity shall 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. In these circumstances the Entity will be a Passive NFFE and accordingly one of the classifications under the Passive NFFE category);or d. Is a treasury centre that primarily engages in financing and hedging transactions with, or for, Related Entities(Affiliated Entity)that are not Financial, 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; or e. Is a captive finance company if the primary activity of the Entity is to enter into financing (including the extension of credit) or leasing transactions with or for

	suppliers, distributors, dealers, franchisees, or customers of the Entity or of any Related Entity of the Entity that is an Active NFFE.
Non-Financial Start-Up entity (FATCA and CRA – Active NFFE/NFE)	a. Is a non-U.S. entity that is not a Financial Institution; and b. Is not yet operating a business and has no prior operating history, but is investing capital into assets with the intent to operate a business other than that of a Financial Institution; or c. Is investing capital in assets with the intent to operate a new line of business other than that of a Financial Institution. In the case of (b), such an entity shall qualify for such classification for a period of 24 months commencing on the date of incorporation of the Entity. In the case of (c),such entity shall qualify for such classification for a period of 24 months from the date of the board resolution (or its equivalent) approving the new line of business, provided that the Entity qualified as an Active NFE /NFFE for the 24 months preceding the date of such approval (*excluding an entity that 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 hold interests in those companies as capital assets for investment purposes*).
Non-Profit Organization	Vide active NFE
Non reporting financial institution/Non reporting Malta Financial Institution	Any Financial Institution / Malta Financial Institution that is: a. A Governmental Entity, International Organization 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; or b. A Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Governmental Entity, International Organization or Central Bank; c. A Qualified Credit Card Issuer; or d. An Exempt Collective Investment Vehicle /Fund; or e. A Trustee-Documented Trust; or f. 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 (a) and (b) above, and is included in the list of Non-Reporting Malta Financial Institutions pursuant to the CRS Regulations; or. g. Local Client Base Financial Institution; or h. Exempt Pension / Retirement Funds ; or i. Investment Entities wholly owned by exempt beneficial owners amongst others. A Non-Reporting Malta Financial Institution can also be as a **Deemed-Compliant FFI** or an **Exempt Beneficial Owner**. Kindly Refer to the Commissioner for Revenue guidelines on which types of entities should be considered as a Non-Reporting Financial Institution.
NFE or NFFE	Non-Financial (Foreign) Entity which means any Entity that is not a Financial Institution.
Passive NFFE/NFE	Any entity that is that is not: • Not an active NFFE / NFE; • (For FATCA purposes only) A withholding foreign partnership or withholding foreign trust pursuant to relevant U.S. Treasury regulations.
Participating FFI	An FFI that has agreed to comply with the requirements of an FFI agreement with respect to all branches of the FFI, other than a branch that is a reporting Model 1 FFI or a U.S. branch.

Participating jurisdictions	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 Financial Account information as set out in the CRS Regulations and that is identified in a published list that is issued by the Commissioner for Revenue, Malta and updated from time to time.
Passive Income	This generally means the portion of gross income that consists of: a. Dividends; or b. Interest; or c. Income equivalent to interest; or d. Rents and royalties, other than rents and royalties derived in the active conduct of a business conducted, at least in part, by employees of the NFE/NFFE; or e. Annuities; or f. The excess of gains over losses from the sale or exchange of financial assets that gives rise to the Passive Income described above in (a) to (e); or g. The excess of gains over losses from transactions (including futures, forwards, options, and similar transactions) in any financial assets; or h. The excess of foreign currency gains over foreign currency losses; or i. Net income from swaps; or j. Amounts received under Cash Value Insurance Contracts (as this term is defined under the CRS Regulations). Notwithstanding the above, Passive Income will not include, in the case of a NFE/ NFFE that regularly acts as a dealer in financial assets, any income from any transaction entered into in the ordinary course of such dealer's business as such a dealer.
Passive NFFE – Direct Reporting NFFE	Is a nonfinancial foreign entity that has elected to report its substantial U.S. owners to the IRS pursuant to Treasury Regulations section 1.1472-1(c)(3). It can register to agree to perform the due diligence and reporting obligations required of its status as a Direct Reporting NFFE.
Registered Deemed Compliant FFI	a. An FFI that is registering to confirm that it meets the requirements to be treated as a local FFI, non-reporting FI member of a PFFI group, qualified collective investment vehicle, restricted fund, qualified credit card issuer, sponsored investment entity, or sponsored controlled foreign corporation (under Treasury Regulations section 1.1471-5(f)(1)(i)); b. A Reporting FI under a Model 1 IGA and that is registering to obtain a GIIN; or c. An FFI that is treated as a Non-reporting FI under a Model 1 or Model 2 IGA and that is registered pursuant to the applicable Model 1 or Model 2 IGA.
Reportable Account	An account held by one or more Reportable Persons or by a Passive NFE/NFFE with one or more Controlling Persons that is a Reportable Person.
Reporting Financial Institution/Reporting Malta Financial Institution	Any Financial Institution / Malta Financial Institution that is not a Non-Reporting Financial Institution / Non-Reporting Malta Financial Institution.
Reportable Jurisdiction	A jurisdiction with which an obligation to provide financial account information is in place and that is identified in a published list. In the case of Malta, the published list is that found in the CRS guidelines issued by the Maltese tax authorities - list entitled "List of Non-EU Reportable Jurisdictions".
Reporting Model 1 FFI	Any Model 1 FFI that is not a non-reporting IGA FFI. The IGA Model 1 FFI requires its local reporting FIs to report to local tax authorities who will in turn report to the IRS.
Reporting Model 2 FFI	Any Model 2 FFI that is not a non-reporting IGA FFI. Model 2 FFIs have to sign a FFI. Agreement with the IRS and comply with the FATCA regulations (almost similar to Participating FFIs in non-IGA countries), except to the extent expressly modified by their IGA.
Reportable Person	A Reportable Jurisdiction Person other than: (i) those Entities described in (b) and (c) under the definition of an Active NFE; or (ii) a Financial Institution.

Residency for tax purposes	Generally, it means 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 his 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. Seek professional advice if you are not sure how to determine your entity's respective tax residency/ies.
Specified U.S. Person	A U.S. Person, other than: a. A corporation, the stock of which is regularly traded on one or more established securities markets (vide definition of established securities markets and Annex 1) as described in section 1472-1(c)(1)(i) of the U.S. Internal Revenue Code; or b. A corporation that is a member of the same expanded affiliated group as a corporation described in section 1471(e)(2) of the U.S. Internal Revenue Code; or c. An organization exempt from tax under section 501(a) of the U.S. Internal Revenue Code, or an individual retirement plan as defined in section 7701(a)(37) of the U.S. Internal Revenue Code; or d. A bank as defined in section 581 of the U.S. Internal Revenue Code; or e. A real estate investment trust as defined in section 856 of the U.S. Internal Revenue Code; or f. A regulated investment company as defined in section 851 of the U.S. Internal Revenue Code or any Entity registered at all times during the tax year under the Investment Company Act of 1940; g. A common trust fund as defined in section 584(a) of the U.S. Internal Revenue Code; or h. A trust that is exempt from tax under section 664(c) of the U.S. Internal Revenue Code or that is described in section 4947(a)(1) of the U.S. Internal Revenue Code; or i. A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any U.S. State; or j. A broker as defined in section 6045(c) of the U.S. Internal Revenue Code; or k. A tax-exempt trust under a plan that is described in section 403(b) of the U.S. Internal Revenue Code or section 457(b) of the U.S. Internal Revenue Code; or l. The United States or any of its wholly owned agencies or instrumentalities thereof; or m. A U.S. State, a U.S. Territory or Possession, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality thereof.
Specified Insurance company	Any Entity that is an insurance company (or the holding company of an insurance company) issues, or is obligated to make payments with respect to, a Cash Value Insurance Contract or an Annuity Contract (as both terms are defined under the CRS Regulations).
Sponsored Investment Entity/FFI	" (that has not obtained a GIIN): A sponsored FFI means an investment entity or an FFI that is a controlled foreign corporation (CFC) having a sponsoring entity that will perform the due diligence, withholding, and reporting obligations on its behalf. To allow a sponsoring entity to register its sponsored entities with the IRS, and, as previewed in Notice 2013-69, the IRS is developing a streamlined process for sponsoring entities to register sponsored entities on the FATCA registration website. Additional information about this process will be provided by the IRS at a later date.
Taxpayer Identification Number – TIN - CRS	Taxpayer identification number for tax administration purposes. If the country of tax residence does not issue a TIN and equivalent to a TIN should be indicated.
TIN equivalent	While many jurisdictions utilise a TIN for taxation purposes, 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 entities, a business/ company registration code/ number.
Trustee Documented Trust	A trust where the trustee is a Reporting Financial Institution and reports all information required to be reported with respect to all Reportable Accounts of the trust.
U.S. Internal Revenue Code	Formally known as the Internal Revenue Code of 1986, is the domestic portion of federal statutory tax law in the U.S
U.S. Person	A U.S. citizen or U.S. resident alien; a partnership created or organized in the United States or under the laws of the United States; a corporation created or organized in the United States or under the laws of the United States; a company created or organized in the United States or under the laws of the United States; an association created or organized in the United States or under the laws of the United States; a trust as defined in the U.S. Internal Revenue Code regulations section 301.7701-7; an estate of a decedent (deceased person) who was a U.S. citizen or U.S. resident alien
U.S. Territory	American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico, or the U.S. Virgin Islands
U.S. TIN	U.S. tax identification number. U.S. TINs include a Social Security Number (SSN), which is issued to individuals, and an Employer Identification Number (EIN), which can be issued to individuals or Entities. In addition, an Individual Taxpayer Identification Number (ITIN) is issued to individuals who are required to have a U.S. taxpayer identification number but who do not have and are not eligible to obtain an SSN.