

FATCA 及 CRS 個人客戶自我聲明書暨個人資料同意書

填表說明 Notes :

為遵循以「美國外國帳戶稅收遵從法」(FATCA)為目的締結的跨政府協議(IGA) 和「金融機構執行共同申報及盡職審查作業辦法」(即 CRS, 下同), 金融機構須蒐集和審查稅務用途金融帳戶資訊以辨識立約人的稅務居民身分。若你具有非中華民國之稅籍身分, 請以英文填寫此份聲明書。

Regulations based on the Intergovernmental Agreements which is concluded for Foreign Account Tax Compliance Act ("FATCA") purposes and the Regulations Governing the Implementation of the Common Standard on Reporting and Due Diligence for Financial Institutions ("CRS") require financial institutions to collect and examine information to determine the tax residence or multiple tax residences (if any) of the Account Holder. Please fill in this form in English if you have any tax residency outside the Republic of China (Taiwan)("ROC").

第一部分：帳戶持有人基本資料 Account Holder Information

A 姓名 Full Name : (英文姓名請以護照姓名為準 Please fill in the name in the passport / resident certificate)

B 身分證字號 ID Number : _____

C 居住地址 Residence Address : (勿留存郵政信箱或送達代收地址 Do not use a P.O. box or an in-care-of address)

國家/地區 Country/Region : _____

地址 Address : _____

郵遞區號 Zip Code : _____

D 出生資訊 Birth Information :

出生日期 Date of birth : _____年(YYYY) _____月(MM) _____日(DD)

出生地 Place of birth : 國家/地區(Country/Region) _____ 城市(City) _____

第二部分：稅籍 Tax Residence

1. 本人僅為臺灣之稅務居住者。(若出生地為美國, 請完成第三部份 FATCA 身分別, 若否則問卷結束)

I am only a tax resident of Taiwan. (If your place of birth is U.S, please complete Part III.

2. 本人不是或不僅是臺灣稅務居住者, 並於下表註明所有稅籍國家/地區, 如無法提供稅籍編號者, 請選填原因 A、B (含原因) 或 C。

I am not or not only an ROC tax resident. Below indicate all my country(ies) of tax residence. If a TIN is unavailable, please provide the appropriate reason A, B or C where appropriate.

稅務國家/地區	稅務識別碼	稅籍地址與無法提識稅務識別碼之原因
Country of tax residence	Tax Identification No.	If no TIN available, please enter Reason A, B (with explanation) or C
		<p align="center">稅籍地址(Tax Address)</p> <p>國家/地區(Country/Region) : _____</p> <p>地址(Address) : _____</p> <p>郵遞區號(Zip Code) : _____</p> <p align="center">無法提供稅務識別碼原因(Reason)註 1</p> <p><input type="checkbox"/>A <input type="checkbox"/>B 理由(Reason) : _____ <input type="checkbox"/>C</p>
		<p align="center">稅籍地址(Tax Address)</p> <p>國家/地區(Country/Region) : _____</p> <p>地址(Address) : _____</p> <p>郵遞區號(Zip Code) : _____</p> <p align="center">無法提供稅務識別碼原因(Reason)註 1</p> <p><input type="checkbox"/>A <input type="checkbox"/>B 理由(Reason) : _____ <input type="checkbox"/>C</p>
		<p align="center">稅籍地址(Tax Address)</p> <p>國家/地區(Country/Region) : _____</p> <p>地址(Address) : _____</p> <p>郵遞區號(Zip Code) : _____</p> <p align="center">無法提供稅務識別碼原因(Reason)註 1</p> <p><input type="checkbox"/>A <input type="checkbox"/>B 理由(Reason) : _____ <input type="checkbox"/>C</p>

將來商業銀行 **FATCA 及 CRS 個人客戶自我聲明書暨個人資料同意書**

註 1：若無法提供稅務識別碼，請選填原因 A、B 或 C：

原因 A：帳戶持有人需繳稅的國家/地區沒有向其居民簽發稅務識別碼。

The country/jurisdiction where I am a tax resident does not issue TINs to its residents.

原因 B：帳戶持有人無法取得稅務識別碼或類似編號。若選填此項，請說明無法取得稅務識別碼的原因。

I am otherwise unable to obtain a TIN or equivalent number. (Please explain why you are unable to obtain a TIN if you have lected this reason.)

原因 C：無需提供稅務識別碼。(僅針對所填寫的稅務居民國家/地區規定無需揭露稅務識別碼時，才能選填此項)

No TIN is required. (Note. Only select this reason if the domestic law of the relevant country/ jurisdiction of tax residence does not require the collection of the TIN.)

第三部分：FATCA 身分別 **FATCA Identification**

本人為美國公民或美國稅務居住者。

I am an U.S citizen or U.S. resident alien for tax purposes.

本人非屬美國公民或美國稅務居住者。(若您出生地為美國，請檢附棄籍證明)

I am not an U.S citizen or U.S. resident for tax purposes.

U.S. resident alien generally are taxed on their income, similar to U.S. citizens. To be classified as a U.S. resident alien, the individual must meet Green Card test or Substantial Presence Test. Substantial Presence Test means a resident was physically present in the U.S. for at least 183 days or 31 days during the current year and 183 days during a three-year period that includes the current year and two years immediately before that.

美國公民或稅務居住者係指具有美國國籍(持有美國護照)、持有綠卡者，或當年度入境美國並停留 183 天以上，或者當年度入境並在美國待 31 天以上，同時滿足所謂的『前 3 年審核期』的計算達 183 天。

183 days during the 3-year period that includes the current year and the 2 years immediately before that, counting :

All the days you were present in the current year, and 1/3 of the days you were present in the first year before the current year, and 1/6 of the days you were present in the second year before the current year.

前 3 年審核期：本年停留天數，加上去年停留天數的三分之一，加上前年停留天數的六分之一的總和，達 183 天者。

聲明及簽署 **Declarations and Signature**

立約人聲明以上勾選內容為實且已於合理期間詳閱 貴行開戶總約定書之「美國外國帳戶稅收遵從法」條款及個人資料運用告知事項，立約人並同意貴行得依該等條款相關約定辦理(包括但不限於，向美國國稅局等依法有權機關與監理機關申報立約人之美國稅務居民海外帳戶稅務相關資料，及代理立約人向美國稅法扣繳義務人出示立約人 FATCA 身分別相關文件)。立約人如未能履行前述據實告知義務或未能配合提供相關文件，貴行即須依 FATCA 規定將立約人帳戶列入 FATCA 「不合作帳戶」而須自存入立約人名下屬 FATCA 法案所規範金融商品特定帳戶之款項中扣繳 30% 之美國稅款。

ACCOUNT HOLDER declare the information given in above form is true and has a reasonable time perusing the U.S. Foreign Account Tax Compliance Act provisions and Notification of Personal Information Protection of NEXT General Agreement for Account Opening, and ACCOUNT HOLDER agree that NEXT BANK needs to report certain information (including but not limited to the information of U.S. shareholder of the Customer) to the IRS in order to comply with FATCA ,and on behalf of me, disclose the self-certification to the withholding agent(s) to declare the FATCA status of me). ACCOUNT HOLDER acknowledges and agrees that the NEXT BANK must treat the account held by such ACCOUNT HOLDER as a "Recalcitrant Account", withhold 30% tax from the payments in connection with specific US source income, gross proceeds or foreign pass thru payments, close the account, and terminate all financial instrument contracts and services, given that the ACCOUNT HOLDER fails to provide relevant documentary evidence to identify the ACCOUNT HOLDER's FATCA status as required by FATCA within a 30-day period.

立約人知悉及同意，將來商業銀行可根據稅捐稽徵法第五條之一及金融機構執行共同申報及盡職審查作業辦法相關規定，於金融帳戶資訊自動交換等財稅行政業務特定目的必要範圍內，蒐集、處理及利用本文件所載

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將來商業銀行 FATCA 及 CRS 個人客戶自我聲明書暨個人資料同意書

立約人個人特定資料，並依據上述規範，將立約人相關資料提供予稅捐稽徵機關或其授權之機關，並將該等資料轉交至與我國商訂稅務用途資訊交換條約之他方國家稅捐稽徵機關。此外，立約人了解若規避、妨礙或拒絕財政部或其授權之機關依稅捐稽徵法第 46 條之 1 規定處以罰鍰，並通知限期配合辦理；屆期末配合辦理者，得按次處罰。

ACCOUNT HOLDER acknowledge and agree that NEXT Bank may collect、process and use ACCOUNT HOLDER's personal information given in above form for the purpose of Automatic Exchange of Financial Account Information in Tax Matters, and any of ACCOUNT HOLDER's reportable account(s) and personal information may be reported by NEXT BANK to taxing Authorities or other authorized authorities and exchanged with tax authorities of another countries or jurisdictions in which the Account Holder may be a tax resident pursuant to Article 5-1 of the Tax Collection Act and Regulations Governing the Implementation of the Common Standard on Reporting and Due Diligence for Financial Institutions. In addition, ACCOUNT HOLDER understand that pursuant to Article 46 of the tax collection law, the Ministry of Finance or its authorized agencies may impose a fine from three thousand New Taiwan Dollars (NT\$3,000) to three hundred thousand New Taiwan Dollars (NT\$300,000) if an agency, institution, organization, enterprise, or individual violates paragraph 3 of Article 5-1, and avoids, hinders, or refuses investigation or inquiry by the Ministry of Finance or its authorized agencies, or fails to submit relevant information and documents required, and may notify them to comply within a given time limit; if compliance is not met within the given time limit, successive fines can be imposed in each case.

立約人承諾，如情況有所改變，以致影響立約人依本表格所勾選之稅務居民聲明內容，或致本文件所載的資料不正確，立約人有義務通知貴行，在情況發生改變後 30 日內，向貴行提交一份已適當更新的自我證明文件及相關資料。

ACCOUNT HOLDER undertake to advise NEXT BANK of any change in circumstances which affects ACCOUNT HOLDER's tax residency status declared in this form or causes the information contained herein to become incorrect or incomplete, and to provide NEXT BANK with a suitably updated self-certification form within 30 days of such change in circumstances.

此致 將來商業銀行股份有限公司

To : Next Commercial Bank Co., Ltd,

立書人簽名(章) Signature : _____ (請親簽)

身分證字號 / 統一證號 ID / Uniform ID Numbers : _____ 簽署日期 Date : _____

以下為將來商業銀行內部合理性審查使用，由銀行行員填寫：

- 1. 本人經合理性審核，未發現客戶聲明書所填之稅籍國家/地區有不合理情事。
- 2. 若有發現稅籍國家/地區可能不一致之情形(包括但不限於：1.身分證明文件或相關資料顯示為其他國家的稅務居住者、2.身分證明文件或相關資料顯示為其他國家的國籍或公民、3.戶籍地址/居住地址顯示為其他國家等)，請進一步向客戶詢問聲明書是否已填寫確實、合理且完整，並將客戶說明之原因註記如下：

經客戶說明原因後，本人確認聲明書所填之稅籍國家/地區尚屬合理，完成合理性審查。

經辦簽章：

主管簽章：

緣將來商業銀行(下簡稱「本行」)為遵循金融機構執行共同申報及盡職審查作業辦法(以下簡稱「CRS」)、美國海外帳戶稅收遵從法案(Foreign Account Tax Compliance Act, 以下簡稱「FATCA」)、及駐美國台北經濟文化代表處與美國在台協會合作促進外國帳戶稅收遵從法執行協定(以下簡稱「IGA 協議」)、而負辨識帳戶持有人稅籍之義務，現因台端於本行開立帳戶及進行交易，為符合個人資料保護法下個人資料之合理使用，本行茲請求台端協力遵循 CRS、FATCA 及 IGA 協議之相關規定，特告知下列事項：

In compliance with the Common Reporting Standard ("CRS"), the Foreign Account Tax Compliance Act ("FATCA") and

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the Agreement between the American institute in Taiwan and Taipei Economic And Cultural Representative Office In The United States (the "Agreement"), NEXT Commercial Bank (the "Bank") has the obligation to identify the tax residence of account holder. In order to comply with the proper use of personal information in accordance with the Personal Information Protection Act, the Bank hereby requests your cooperation with the compliance of CRS, FATCA and the relevant provisions under the Agreement, with notice as follows:

一、個人資料蒐集、處理及利用之目的及類別

Purpose and Type of Collection, Processing and Use of Personal Information

本行為辨識帳戶持有人之身分，並依 FATCA 申報具有美國帳戶之持有者資訊予美國國稅局及台灣權責主管機關，及依 CRS 申報應申報帳戶之持有者資訊予台灣權責主管機關，經 台端提供之相關個人資料及留存於本公司之一切交易資訊，包括但不限於姓名、出生地及出生日期、國籍、戶籍地址、住址及工作地址、電話號碼、稅籍編號、帳戶帳號及帳戶餘額、帳戶總收益金額與交易明細等，將因本行遵循 CRS、FATCA 及 IGA 協議之需要，由本行蒐集、處理及利用。

In order to identify the account holders of the Bank and to report accounts held by U.S. persons to the IRS and the competent authority in Taiwan R.O.C. in compliance with FATCA, and report accounts held by reportable person to the competent authority in Taiwan R.O.C. in compliance with CRS, all personal information provided by you and all transaction information kept by the Bank, including but not limited to name, place of birth, date of birth, nationality, domicile address, residence address and work location, telephone number, US tax identifying number (TIN), account number and account balance, the gross proceeds and statement of the account shall be collected, processed and used by the Company for the purpose of CRS, FATCA compliance and as required by the Agreement.

二、個人資料利用之期間及方式

The Period and Method of Using Personal information

為遵循 CRS、FATCA 法案及 IGA 協議之必要年限內，本行所蒐集之 台端個人資料將由本行為保存及利用，並於特定目的之範圍內，以書面、電子文件、電磁紀錄、簡訊、電話、傳真、電子或人工檢索等方式為處理、利用與國際傳輸。

In compliance with the period required by CRS, FATCA and the Agreement, the personal information collected by the Bank will be kept and used by the Bank and processed, used and transmitted internationally in writing, via email, electromagnetic record, text message, telephone, fax, electronic or manual search within the scope of the said specified purpose.

三、個人資料利用之地區

Geographical Limitation for Use of Personal Information

為履行 CRS、FATCA 及 IGA 協議下之相關義務，台端個人資料將於台灣、美國地區或其他簽訂稅務目的金融帳戶資訊交換之他方地區受利用。

To fulfill the obligations under CRS, FATCA and the Agreement, your personal information will be used in both Taiwan, United States or other country/jurisdiction pursuant to intergovernmental agreements to exchange financial account information for tax purposes.

四、個人資料利用之對象

Parties Using the Personal Information

為履行 CRS、FATCA 法案及 IGA 協議下之相關義務，台端個人資料將由本行、台灣權責主管機關、美國國稅局或其他簽訂稅務目的金融帳戶資訊交換之他方地區所利用。

To fulfill the obligations under CRS, FATCA and the Agreement, your personal information will be used by the Bank, the competent authority in Taiwan, the IRS or other country/jurisdiction pursuant to intergovernmental agreements to exchange financial account information for tax purposes.

五、個人資料之權利行使及其方式

Exercise of the Rights Regarding Personal Information

台端就本行所蒐集、處理及利用之個人資料，得隨時向本行請求查詢、閱覽、製給複製本、補充或更正、停止蒐集處理及利用或刪除。台端如欲行使前述權利，有關如何行使之方式，得向本行客服(02)8979-6600 查詢。

With regard to the personal information collected, processed and used by the Bank, you may request to search, review, make duplications, supplement or correct the personal information or to discontinue the collection, processing, and use of the personal information, or request to delete the personal information. If you would use abovementioned rights, please dial (02) 8979-6600 for understanding how to use your rights.

六、不提供對其權益之影響

The Effect of Refusal to Provide Personal Information

台端若拒絕提供本行為遵循 CRS、FATCA 法案及 IGA 協議所需之個人資料、或嗣後撤回、撤銷同意，本行仍可能須將關於台端所控制之法人之帳戶資訊申報予臺灣稅務機關或美國國稅局。

In the event that you refuse to provide the personal information as required for the compliance of CRS, FATCA and the Agreement, or withdraw or revoke your consent thereof, the Bank may still report your account information to tax authority of Taiwan or IRS.

【附錄一】名詞解釋 Definitions

自我證明文件內採用的 FATCA&CRS 名詞及措詞釋義：

帳戶持有人

「帳戶持有人」指由管理金融帳戶之金融機構列為或辨識為持有該帳戶之人。金融機構以外之人，以代理人、保管人、被指定人、簽署人、投資顧問或中間人身分為他人利益持有金融帳戶者，該他人視為帳戶持有人。舉例而言，如果帳戶以家長為子女的合法監護人名義開立，則子女會被視為帳戶持有人。

稅籍編號

「稅籍編號」係指外國基於執行稅法之目的，辨識個人或實體之編號或具相當功能之辨識碼。稅籍編號是稅籍國家向個人或法人分配獨有的字母或數字組合，用於識別個人或法人的身分，以便實施稅籍國家的稅務法律。有關可接受的稅務編號的更多詳細資訊刊載於經濟合作與發展組織的自動交換資料網站。

某些稅籍國家不發出稅籍編號。但是，這些稅籍國家通常使用具有等同辨識功能的其他完整號碼（「具有等同功能的辨識號碼」）。此類號碼的範例包括，就個人而言：社會安全號碼/保險號碼、公民/個人身份/服務代碼/號碼，以及居民登記號碼。

參與國

「參與國」指依經濟合作暨發展組織發布之共同申報及盡職審查準則進行金融帳戶資訊自動交換，且經財政部公告之國家或地區。

稅務居民

一般而言，如根據某國家/地區的規定(包括租稅協定)，任何個人或實體不僅就以該國家/地區為來源的收入，亦因其戶籍、居所、營運管理地、公司設立地，或任何性質類似的其他標準，而在該國家/地區需要納稅或有納稅義務，便會成為該國家/地區的稅務居民。無居住者身分之合夥、有限責任合夥或類似法律安排之實體，視為其實際管理處所在地之居住者。信託應被視為一個或多於一個受託人所居住國家/地區的居民。有關稅務居民身分的更多資訊，請向您的稅務顧問諮詢或瀏覽經濟合作與發展組織的自動資訊交換網站：

<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/>