

Instruction sheet

Completing the identification form for unregulated trusts and trustees

Identification and Verification

All clients applying for a new policy must complete the identification procedures for the purposes of Anti-Money Laundering and Counter-Terrorism Financing laws. In addition, in order to comply with the obligations of the Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS) we are required to collect further information.

To do this, you need to complete the attached form.

What do I need to complete?

The table over the page provides you with a guide on which mandatory sections you need to complete as identified by a solid dot (●). Where a section does not apply to all trust or trustee types, an explanation is provided as additional guidance.

You need to identify what type of trust you are.

If you are an unregulated trust you should complete this form.

An unregulated trust is a:

- Family trust
- Charitable trust
- Testamentary trust
- Other type (trusts that are not subject to the oversight of a Commonwealth, State or Territory statutory regulator).

If you are any of the following you should complete the Identification Form Australian Regulated Trusts and Trustees:

- Regulated trust eg a Self Managed Superannuation Fund ('SMSF') or a trust that is regulated by the Australian Securities and Investments Commission ('ASIC'), the Australian Taxation Office ('ATO') or the Australian Prudential Regulation Authority ('APRA')
- registered managed investment scheme (ie managed investment scheme that is registered by ASIC)
- Australian Government superannuation fund (ie a government superannuation fund established under Commonwealth or State/Territory legislation), or
- other regulated trust.

Will documents in a language other than English be accepted?

Documents that are written in a language that is not English must be accompanied by an English translation prepared by an accredited translator. An accredited translator is any person who is currently accredited by the National Accreditation Authority for Translators and Interpreters Ltd (NAATI) at the level of Professional Translator or above.

How do I get a document certified?

To be correctly certified, we need the document(s) to be certified as 'True copy of the original document' and signed by one of the following:

- A person who is enrolled on the roll of the Supreme Court of a State or Territory or the High Court of Australia, as a legal practitioner
- A judge of a court
- A magistrate
- A chief executive officer of a Commonwealth court
- A registrar or deputy registrar of a court
- A justice of the Peace
- A notary public (for the purposes of the Statutory Declaration Regulations 1993)
- A notary public in a foreign country
- A police officer
- (Postal Agent) An agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
- (Post Office) A permanent employee of The Australian Postal Corporation with two (2) or more years of continuous service who is employed in an office supplying postal services to the public
- An Australian consular officer or an Australian diplomatic officer (within the meaning of the Consular Fees Act 1955)
- An officer with, two or more continuous years of service with one or more respective financial institutions (eg: bank, building society, credit union or finance company)
- An officer with, or authorised representative of, a holder of an Australian financial services licence, having two (2) or more continuous years of service with one or more licensees
- A member of the Institute of Chartered Accountants in Australia CPA Australian or the National Institute of Accountants with two (2) or more years of continuous membership

The party certifying the ID document(s) will also need to state what position they hold and sign and date the document(s). If the certification does not appear on the document(s), you may be asked to send in new certified documents. There are additional persons who can certify documents.

IDENTIFICATION AND VERIFICATION PROCEDURE FOR THE TRUST AND TRUSTEES

- You need to complete Section 1.4 for all trustees (including trustees that are individuals and trustees that are an Australian company or foreign company).
- If the trust has more than one trustee, you need to provide us with information for ONLY ONE of the trustees. **If the selected trustee is a Foreign Company, please complete the FOREIGN COMPANY IDENTIFICATION FORM in addition to this form.**

1 Unregulated Trust Identification Procedure		
1.1	General information	•
1.2	Type of unregulated trust	•
1.3	Beneficiaries' details	•
1.4	Trustee details	Provide full name and address of all trustees.
1.5	Beneficial ownership	Provided the names of the individuals that directly or indirectly control the Trust.
2 Tax information		
2.1	Tax Status	•
2.2	Foreign Controlling Persons (Individuals)	•
2.3	Country of Tax Residency	•
3 Unregulated Trust Verification Procedure		
		CommInsure will perform the trust verification procedure. However, if we cannot access the information to complete this procedure we may ask you to provide us with further information.
4 Record of verification procedure		
		To be completed by the adviser.

Please mail this form to: **CommInsure**, PO Box 320 Silverwater NSW 2128

GUIDE TO COMPLETING THIS FORM

- o This form is for all Trusts that are not subject to the oversight of an Australian statutory regulator. Trusts that are subject to the oversight of an Australian statutory regulator, including Self-Managed Superannuation Funds, should complete the AUSTRALIAN REGULATED TRUSTS AND TRUSTEES IDENTIFICATION FORM.
- o Provide information about the Trust (Section 1) and complete the Trust verification procedure (Section 3).
- o Provide details for ALL Trustees (Section 1.4) and provide a separate Customer ID Form for ONE of the Trustees.
- o Provide details for the Trust's Beneficial Owners (Section 1.5) and provide separate INDIVIDUAL ID Forms for each of these Beneficial Owners.
- o Tax information must be collected from an authorised representative of the Trust
- o Complete all applicable sections of this form in BLOCK LETTERS.

SECTION 1: TRUST IDENTIFICATION PROCEDURE

1.1 General Information

Full name of the Trust	
Full business name of the Trustee in respect of the Trust (if any)	
Country where Trust established (if not established in Australia)	
Full Name of Settlor/s*	

* The person/s who settles the initial sum or assets to create the Trust.

1.2 Type of Unregulated Trust

Tick Select one of the following types of Trusts

- Family Trust
 Charitable Trust
 Testamentary Trust

 Other type provide description

Self-managed superannuation funds, registered managed investment schemes, government superannuation funds or other regulated Trust should complete the **AUSTRALIAN REGULATED TRUSTS & TRUSTEES IDENTIFICATION FORM**, rather than this form.

1.3 Beneficiaries Details

Provide the names (1.3.1) and/or class/es (1.3.2) of the Trust's beneficiaries. Both the names and classes of beneficiaries must be provided (if the Trust has both named and class/es of beneficiaries).

1.3.1 Named Beneficiaries

	Full Given / Entity name(s)	Surname
1		
2		
3		
4		

1.3.2 Class/es of beneficiaries (e.g. unit holders, family members of named person, charitable organisations/causes)

If there are more beneficiaries provide details on a separate sheet and tick this box .

1.4 Trustee Details

Provide the name & residential/business addresses of **ALL** of the Trustees below.

Complete a separate Customer ID Form for ONE of these Trustees*.

Trustee 1		Trustee 2		Trustee 3	
Full given name(s)/ Company name <input type="text"/>		Full given name(s)/ Company name <input type="text"/>		Full given name(s)/ Company name <input type="text"/>	
Surname <input type="text"/>		Surname <input type="text"/>		Surname <input type="text"/>	
Residential/ Business Address <small>(PO Box is NOT acceptable)</small> <input type="text"/>		Residential/ Business Address <small>(PO Box is NOT acceptable)</small> <input type="text"/>		Residential/ Business Address <small>(PO Box is NOT acceptable)</small> <input type="text"/>	
Suburb <input type="text"/>	State <input type="text"/>	Suburb <input type="text"/>	State <input type="text"/>	Suburb <input type="text"/>	State <input type="text"/>
Country <input type="text"/>	Postcode <input type="text"/>	Country <input type="text"/>	Postcode <input type="text"/>	Country <input type="text"/>	Postcode <input type="text"/>

If there are more Trustees, provide their details on a separate sheet and tick this box .

*A Customer ID form should be completed for ONE of the Trustees based on the nature of this Trustee. For example, an INDIVIDUAL ID FORM should be completed for a Trustee who is an individual or an AUSTRALIAN COMPANY ID FORM for a Trustee that is an Australian Company.

1.5 Beneficial Ownership

Provide the names of the individuals that directly or indirectly control* the Trust. If this is confirmed to be the individual identified as the Trustee above, they must be listed again below to confirm that they are the Trust's Beneficial Owners.

* includes control by acting as Trustee; or by means of Trusts, agreements, arrangements, understandings and practices; or exercising control through the capacity to direct the Trustees; or the ability to appoint or remove the Trustees.

Complete separate individual customer ID Forms for each of these individuals (unless an individual Customer ID Form has already been provided for this individual as a Trustee or the Beneficial Owner of a Trustee that is an entity).

Full given name(s)	Surname	Role (such as Trustee or Appointer)
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please Note: Beneficial Owner/s must be listed above and individual ID Forms completed for all Beneficial Owners.

If there are more Beneficial Owners, provide details on a separate sheet and tick this box .

SECTION 2: TAX INFORMATION

Collection of tax status in accordance with the United States Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS).

2.1 Tax Status

Tick **one of the Tax Status boxes below** (if the Trust is a Financial Institution, please provide all the requested information below)

Financial Institution (A custodial or depository institution, an investment entity or a specified insurance company for FATCA / CRS purposes)

Provide the Trust's Global Intermediary Identification Number (GIIN), if applicable

If the Trust is a Financial Institution but does not have a GIIN, provide its FATCA status (select **ONE** of the following status)

Deemed Compliant Financial Institution

Excepted Financial Institution

Exempt Beneficial Owner

Non Reporting IGA Financial Institution
(If the Trust is a Trustee-Documented Trust, provide the Trustee's GIIN)

Nonparticipating Financial Institution

US Financial Institution

Other (describe the Trust's FATCA status in the box provided)

PLEASE ANSWER THE QUESTION BELOW FOR ALL FINANCIAL INSTITUTIONS

Is the Financial Institution an Investment Entity located in a Non-Participating CRS Jurisdiction and managed by another Financial Institution?

Yes No

If Yes, proceed to section 2.2 (Foreign Controlling Persons). If No, Please go to section 3 to complete the form.

CRS Participating Jurisdictions are on the OECD website at <http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/crs-by-jurisdiction>.

Australian Registered Charity or Deceased Estate

If the Trust is an Australian Registered Charity or Deceased Estate, please proceed to section 3 to complete the form.

A Foreign Charity or an Active Non-Financial Entity (NFE) (Active NFEs include entities where, during the previous reporting period, less than 50% of their gross income was passive income (e.g. dividends, interests and royalties) and less than 50% of assets held produced passive income. For other types of Active NFEs, refer to Section VIII in the Annexure of the OECD 'Standard for Automatic Exchange of Financial Account Information' at www.oecd.org.)

If the Trust is a Foreign (non-Australian) Charity or an Active NFE, please proceed to section 2.3 (Country of Tax Residency).

Other (Trusts that are not previously listed – Passive Non-Financial Entities)

Please proceed to section 2.2 (Foreign Controlling Persons).

2.2 Foreign Controlling Persons (Individuals)

Are any of the Trust's Controlling Persons tax residents of countries other than Australia

Yes No

If the Trustee is a company, are any of this company's Controlling Persons tax residents of countries other than Australia

Yes No

* A Controlling Person is any individual who directly or indirectly exercises control over the Trust. For a Trust, this includes all Trustees, Settlers, Protectors or Beneficiaries. For a Trustee company this includes any beneficial owners controlling more than 25% of the shares in the company or Senior Managing Officials.

Tax Residency rules differ by country. Whether an individual is tax resident of a particular country is often (but not always) based on the amount of time a person spends in a country, the location of a person's residence or place of work. For the US, tax residency can be as a result of citizenship or residency.

If Yes to either of the two questions above, please provide the details of these individuals below and complete a separate Individual Identification Form for each Controlling Person (unless already provided as a Beneficial Owner).

Full given name(s)

Surname

Role (such as Trustee or Beneficiary, etc. refer * below)

If there are more controlling persons, provide details on a separate sheet and tick this box.

Proceed to section 2.3.

2.3 Country of Tax Residency

Is the Trust a tax resident of a country other than Australia? Yes No

If Yes, please provide the Trust's country of tax residence and tax identification number (TIN) or equivalent below. If the Trust is a tax resident of more than one other country, please list all relevant countries below.

If No, please proceed to section 3 to complete the form.

A TIN is the number assigned by each country for the purposes of administering tax laws. This is the equivalent of a Tax File Number in Australia or a Employee Identification Number in the US. If a TIN is not provided, please list one of the three reasons specified (A, B or C) for not providing a TIN.

1. Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>
2. Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>
3. Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>

If there are more countries, provide details on a separate sheet and tick this box.

- Reason A** The country of tax residency does not issue TINs to tax residents
- Reason B** The Trust has not been issued with a TIN
- Reason C** The country of tax residency does not require the TIN to be disclosed

SECTION 3: UNREGULATED TRUST VERIFICATION PROCEDURE

Trust Verification procedure
Information to be verified: Full name of the Trust and Settlor/s name

Tick <input checked="" type="checkbox"/>	Verification options (select one or more of the following options used to verify the Trust)
<input type="checkbox"/>	An original or certified copy of the Trust Deed or if not reasonably available an original or certified extract of the Trust Deed *. Extracts of Trust Deeds must include the name of the Trust, Trustees, Beneficiaries, Settlor/s and Appointers (where applicable).

* Documents that are written in a language that is not English must be accompanied by an English translation prepared by an accredited translator.

IMPORTANT NOTE:
 → Ensure that a customer ID Form has been provided for ONE of the Trustees as per 1.4 AND
 → Ensure that individual customer ID Forms have been provided for the Trust's Beneficial Owners as per 1.5 AND
 → Either attach a legible certified copy of the documentation used to verify the Trust (and any required translation) OR
 → Alternatively, if agreed between your licensee and the product issuer, complete the Record of Verification Procedure section below, and DO NOT attach copies of the ID Documents

SECTION 4: RECORD OF VERIFICATION PROCEDURE

ID DOCUMENT DETAILS	Document 1	Document 2 (if required)
Verified From	<input type="checkbox"/> Original <input type="checkbox"/> Certified Copy	<input type="checkbox"/> Original <input type="checkbox"/> Certified Copy
Document Issuer	<input type="text"/>	<input type="text"/>
Issue Date	<input type="text"/>	<input type="text"/>
Expiry Date	<input type="text"/>	<input type="text"/>
Document Number	<input type="text"/>	<input type="text"/>
Accredited English Translation	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted

By completing and signing this Record of Verification Procedure I declare that:

- an identity verification procedure has been completed in accordance with the AML/CTF Rules, in the capacity of an AFSL holder or their authorised representative;
- Customer ID Forms have been provided for one of the Trust's Trustees;
- Individual Customer ID Forms have been provided for all of the Trust's Beneficial Owners and
- the tax information provided is reasonable considering the documentation provided.

AFS Licensee Name	<input type="text"/>	AFSL No.	<input type="text"/>
Representative/ Employee Name	<input type="text"/>	Phone No.	<input type="text"/>
Signature	<input type="text"/>	Date Verification Completed	<input type="text"/>