

# FATCA

## (Foreign Account Tax Compliance Act)

The purpose of this guide is to explain what FATCA is and describe how the implementation of FATCA will affect our business.

### What is FATCA?

FATCA is US legislation enacted by US Congress to detect, deter and discourage offshore tax evasion by US citizens or residents. The main purpose of FATCA is to ensure that the US Inland Revenue Service ("IRS") can identify and collect tax from US citizens and residents holding financial assets outside the US.

FATCA rules are wide-ranging and require global financial institutions, investment entities, as well as national banks and other financial organizations to report details on their US clients.

FATCA requires Foreign Financial Institutions ("FFIs") such as SEB Life International\* to register and report information on accounts (or policies) held by US persons and certain US controlled foreign entities. SEB Life International is not subject to FATCA tax withholding requirements.

US Persons include:

- US resident individuals
- US citizen individuals
- US partnerships or corporations

- A trust if;
  - a US court would have authority under applicable law to render orders or judgments concerning substantially all issues regarding administration of the trust, and
  - one or more US persons have the authority to control all substantial decisions of the trust, or an estate of a decedent that is a citizen or resident in the United States.

US controlled foreign entities include non-US entities with owners and/or controllers who are US Persons.

### How does FATCA affect SEB Life International's business?

From the 1st July 2014 SEB Life International is required to capture FATCA related information on new individual and legal entity applicants;

- New individual applicants are required to inform SEB Life International of their US status. Where an applicant is considered to be a US person for the purpose of FATCA the applicant is required to provide SEB Life International with their US Tax Identification Number (TIN) and relevant

IRS form. In some circumstances applicants may be required to provide SEB Life International with additional information and/or documentation relating to the applicant's non-US status.

- New legal entity applicants are required to complete and submit SEB Life International's Additional Information for Legal Entity Applicants form. In some circumstances the owners and/or controllers of the legal entity (including non-US entities) will be required to inform SEB Life International of their US status. Additional documentation and/or information may be required as per the individual applicant requirements outlined above.

In addition SEB life International is also required to undertake reviews of existing individual and legal entity clients. As a result of these reviews some existing clients may be required to provide additional information and/or documentation to SEB Life International.

\*SEB Life International Assurance Company Designated Activity Company, trading as SEB Life International is a FFI that is a Member (*not Lead*) of an Expanded Affiliated Group. GIIN (*Global Intermediary Identification Number*) 6BRL9A.00029.ME.372