

THE STATEMENT OF INSTITUTIONAL CLIENT FOR FATCA PURPOSE¹

Town/city	Date

Client name:	
Registered seat:	
Country of incorporation:	
No. Identification: (KRS or other)	
NIP:	
TIN: (US taxpayer identification number or other tax identification numbers assigned country of residence or registration - Obligatory for non-residents)	

I, hereby confirm:

The entity which I represent, has the following status within the meaning of the Agreement between the Government of the Polish Republic and the Government of the United States of America on improving the execution of international tax obligations and the implementation of FATCA legislation (known as the **Intergovernmental Agreement** or **IGA**) of 7 October 2014 (hereinafter "Agreement") :

1) Non-financial foreign (non-US) legal entity or group

<input type="checkbox"/>	Active non-financial foreign entity (located outside of the US)
<input type="checkbox"/>	Non-financial foreign entity (located outside of the US), passive with US actual beneficiary
<input type="checkbox"/>	Non-financial foreign entity (located outside of the US) passive without US actual beneficiary
<input type="checkbox"/>	Exempt Beneficial Owner

¹ Institutional Client: Clients other than natural persons and partners in partnerships, in particular legal persons, partnerships and commercial law entities without legal personality.

2) US non-financial institution

- Specified US Person
- US Person (other than the Specified US Person)

3) Financial institution

- Registered Deemed-Compliant Financial Institution or Deemed-Compliant Certified Financial Institution
- Participating financial institution
- Non-participating financial institution

Note: Please refer to the definitions of the various categories of institutional entities located in the Supplementary Information point II of this statement and the consequences of failure to submit the declaration indicated in point. I.3. Supplementary Information to this statement

If you select point. 3 category Participating Financial Institution or a Registered Deemed-Compliant Financial Institution, please indicate the identification number GIIN

Statements:

I, hereby confirm the credibility of the information mentioned above by my own signature.

I, hereby confirm that the information contained in the documents submitted by me is in accordance with the facts and the law.

I am aware of criminal liability for making a false statement.
I declare that I have been informed that in case of change of status indicated in the statement, I am required to submit a new notification in accordance with the new state of fact and law.

The signature of the person who represents the client

I hereby confirm the identity of the person who represents the client:

Signature and stamp of Bank's employee

Supplementary information

I. The bank, hereby inform:

- 1 In accordance with art. 4 § 1 point a the Agreement, the declaration of the status of the FATCA institutional customer (filling the "Specified US Person - the American taxpayer for the purpose of FATCA"), the non-financial foreign entity (located outside of the US), passive with US actual beneficiary" (actual beneficiary being US taxpayer) or "Non-participating financial institution" imposes reporting obligations on the Bank to report to the US tax authorities (through the tax authorities of the Republic of Polish) account and its holder data, as indicated in art. 2. 2 point a the Agreement (including the value of their assets).
- 2 Regardless of submitting the statement different than those indicated in point I.1. above, the Bank is obliged to verify the credibility of the statement. In case of evidence calling into question the credibility of the statements, the Bank is obliged to comply with the reporting obligations set out in I.1 above. In order to verify the credibility of the statements the Bank may ask for additional documents required for verification.
- 3 In accordance with art. 4 of the Act dated 9 October 2015 on performance of the Agreement between the Government of the Polish Republic and the Government of the United States of America on improving the execution of international tax obligations and the implementation of FATCA legislation, the submission of the statement is mandatory.

II. The definitions of categories of the institution:

1. Active NFFE

An "Active NFFE" means any NFFE that meets any of the following criteria:

- 1) Less than 50 percent of the NFFE's gross income for the preceding calendar year or other appropriate reporting period is passive income and less than 50 percent of the assets held by the NFFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;
- 2) The stock of the NFFE is regularly traded on an established securities market or the NFFE is a Related Entity of an Entity the stock of which is traded on an established securities market;
- 3) The NFFE is organized in a U.S. Territory and all of the owners of the payee are bona fide residents of that U.S. Territory;
- 4) The NFFE is a government (other than the U.S. government), a political subdivision of such government (which, for the avoidance of doubt, includes a state, province, county, or municipality), or a public body performing a function of such government or a political subdivision thereof, a government of a U.S. Territory, an international organization, a non-U.S. central bank of issue, or an Entity wholly owned by one or more of the foregoing;
- 5) Substantially all of the activities of the NFFE 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 NFFE shall not qualify for this status if the NFFE 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;
- 6) The NFFE 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 NFFE shall not qualify for this exception after the date that is 24 months after the date of the initial organization of the NFFE;
- 7) The NFFE 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;
- 8) The NFFE 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;

- 9) The NFFE is an “excepted NFFE” as described in relevant U.S. Treasury Regulations; **or** the NFFE meets all of the following requirements:
- a) It is established and operated in its jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in its jurisdiction of residence and it is a professional organization, business league, chamber of commerce, labor organization, agricultural or horticultural organization, civic league or an organization operated exclusively for the promotion of social welfare;
 - b) It is exempt from income tax in its jurisdiction of residence;
 - c) It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
 - d) The applicable laws of the NFFE’s jurisdiction of residence or the NFFE’s formation documents do not permit any income or assets of the NFFE 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 NFFE’s charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the NFFE has purchased; **and**
 - e) The applicable laws of the NFFE’s jurisdiction of residence or the NFFE’s formation documents require that, upon the NFFE’s liquidation or dissolution, all of its assets be distributed to a governmental entity or other non-profit organization, or escheat to the government of the NFFE’s jurisdiction of residence or any political subdivision thereof.

Passive income

The term passive income means that part of income that is obtained on a regular basis with the involvement of minor expenditures entities. For passive income include in particular:

- 1 a dividend and the amount paid instead of dividends,
- 2 interest,
- 3 income as the equivalent of interest,
- 4 rents and royalties other than those arising from the active conduct of a trade or business with the use of employees,
- 5 pension,
- 6 gains from the sale or acquisition of assets that generates passive income,
- 7 profits from transactions (including futures, derivatives futures, forwards, and the like) relating to goods
- 8 surplus of foreign exchange gains on foreign exchange losses,
- 9 Net income from contracts, ie. Financial instruments that provide for the payment of amounts by one party at a specified interval and calculated by reference to a specified index
- 10 the amount obtained under contracts of insurance with an investment component,
- 11 the amounts received by an insurance company in connection with its reserves for insurance and pension

2. A passive non-financial foreign entity (located outside of the US) with US actual beneficiary

The terms means entity that is not:

- 1 a Specified US Person,
- 2 Financial Institution and
- 3 active non-financial foreign entity,

but is controlled by at least one individual or entity which is an US taxpayer and meets the definition of actual beneficiary within the meaning of the counteracting money laundering and terrorist financing act.

3. A passive non-financial foreign entity (located outside of the US) without the US actual beneficiary

The term means an entity that is not:

- 1 Specified US Person,
- 2 Financial Institution and
- 3 active non-financial foreign entity

but is not controlled by any individual of entity which is an US taxpayer and meets the definition of actual beneficiary within the meaning of the counteracting money laundering and terrorist financing act.

4. Exempt Beneficial Owners other than Funds

The following Entities are treated as Non-Reporting Polish Financial Institutions and as exempt beneficial owners for purposes of sections 1471 and 1472 of the U.S. Internal Revenue Code, **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.

1) Governmental Entity

The government of the Republic of Poland, any political subdivision of the Republic of Poland (which, for the avoidance of doubt, includes a state, province, county, or municipality), or any wholly owned agency or instrumentality of the Republic of Poland or any one or more of the foregoing (each, a “the Republic of Poland Governmental Entity”). This category is comprised of the integral parts, controlled entities, and political subdivisions of the Republic of Poland.

- a) An integral part of the Republic of Poland means any person, organization, agency, bureau, fund, instrumentality, or other body, however designated, that constitutes a governing authority of the Republic of Poland. The net earnings of the governing authority must be credited to its own account or to other accounts of the Republic of Poland, with no portion inuring to the benefit of any private person. An integral part does not include any individual who is a sovereign, official, or administrator acting in a private or personal capacity.
- b) A controlled entity means an Entity that is separate in form from the Republic of Poland or that otherwise constitutes a separate juridical entity, provided that:
 - i. The Entity is wholly owned and controlled by one or more the Republic of Poland Governmental Entities directly or through one or more controlled entities;
 - ii. The Entity's net earnings are credited to its own account or to the accounts of one or more the Republic of Poland Governmental Entities, with no portion of its income inuring to the benefit of any private person; and
 - iii. The Entity's assets vest in one or more the Republic of Poland Governmental Entities upon dissolution.
 - iv. Income does not inure to the benefit of private persons if such persons are the intended beneficiaries of a governmental program, and the program activities are performed for the general public with respect to the common welfare or relate to the administration of some phase of government.² Notwithstanding the foregoing, however, income is considered to inure to the benefit of private persons if the income is derived from the use of a governmental entity to conduct a commercial business, such as a

2) International Organization

Any international organization or wholly owned agency or instrumentality thereof. This category includes any intergovernmental organization (including a supranational organization) (1) that is comprised primarily of non-U.S. governments; (2) that has in effect a headquarters agreement with the Republic of Poland; and (3) the income of which does not inure to the benefit of private persons.

3) Central Bank

An institution that is by law or government sanction the principal authority, other than the government of the Republic of Poland itself, issuing instruments intended to circulate as currency. Such an institution may include an instrumentality that is separate from the government of the Republic of Poland, whether or not owned in whole or in part by the Republic of Poland.

4) Treaty-Qualified Retirement Fund

A fund established in the Republic of Poland, provided that the fund is entitled to benefits under an income tax treaty between the Republic of Poland and the United States on income that it derives from sources within the United States (or would be entitled to such benefits if it derived any such income) as a resident of the Republic of Poland that satisfies any applicable limitation on benefits requirement, and is operated principally to administer or provide pension or retirement benefits.

5) Broad Participation Retirement Fund

A fund established in the Republic of Poland to provide retirement, disability, or death benefits, or any combination thereof, to beneficiaries that are current or former employees (or persons designated by such employees) of one or more employers in consideration for services rendered, provided that the fund:

- a) Does not have a single beneficiary with a right to more than five percent of the fund's assets;
- b) Is subject to government regulation and provides annual information reporting about its beneficiaries to the relevant tax authorities in the Republic of Poland; and
- c) Satisfies at least one of the following requirements:
 - i. The fund is generally exempt from tax in the Republic of Poland on investment income under the laws of the Republic of Poland due to its status as a retirement or pension plan;
 - ii. The fund receives at least 50 percent of its total contributions (other than transfers of assets from other plans described in paragraphs A through D of this section or from retirement and pension accounts described in subparagraph A(1) of section V of this Annex II) from the sponsoring employers;
 - iii. Distributions or withdrawals from the fund are allowed only upon the occurrence of specified events related to retirement, disability, or death (except rollover distributions to other retirement funds described in paragraphs A through D of this section or retirement and pension accounts described in subparagraph A(1) of section V of this Annex II), or penalties apply to distributions or withdrawals made before such specified events; or
 - iv. Contributions (other than certain permitted make-up contributions) by employees to the fund are limited by reference to earned income of the employee or may not exceed \$50,000 annually, applying the rules set forth in Annex I for account aggregation and currency translation.

6) Narrow Participation Retirement Fund

A fund established in the Republic of Poland to provide retirement, disability, or death benefits to beneficiaries that are current or former employees (or persons designated by such employees) of one or more employers in consideration for services rendered, provided that:

- a) The fund has fewer than 50 participants;
- b) The fund is sponsored by one or more employers that are not Investment Entities or Passive NFFEs;
- c) The employee and employer contributions to the fund (other than transfers of assets from treaty-qualified retirement funds described in paragraph A of this section or retirement and pension accounts described in subparagraph A(1) of section V of this Annex II) are limited by reference to earned income and compensation of the employee, respectively;
- d) Participants that are not residents of the Republic of Poland are not entitled to more than 20 percent of the fund's assets; and
- e) The fund is subject to government regulation and provides annual information reporting about its beneficiaries to the relevant tax authorities in the Republic of Poland.

7) Pension Fund of an Exempt Beneficial Owner

A fund established in the Republic of Poland by an exempt beneficial owner to provide retirement, disability, or death benefits to beneficiaries or participants that are current or former employees of the exempt beneficial owner (or persons designated by such employees), or that are not current or former employees, if the benefits provided to such beneficiaries or participants are in consideration of personal services performed for the exempt beneficial owner.

8) Investment Entity Wholly Owned by Exempt Beneficial Owners

An Entity that is a Polish Financial Institution solely because it is an Investment Entity, provided that each direct holder of an Equity Interest in the Entity is an exempt beneficial owner, and each direct holder of a debt interest in such Entity is either a Depository Institution.

5. Specified US Person

The term means a company or other entity established in the USA or entity founded / established under the law of the United States, with the exception of the categories indicated as a US Person (other than the Specified US Person) described in II.6. below.

6. US Person (other than Specified US Person)

The term is understood as a person which fulfils the requirements specified in Section II.5. (Specified US Person), and belongs to one of the following specified categories:

- 1) a corporation the stock of which is regularly traded on one or more established securities markets;
- 2) any corporation that is a member of the same expanded affiliated group, as defined in section 1471(e)(2) of the U.S. Internal Revenue Code, as a corporation described in clause (i);
- 3) the United States or any wholly owned agency or instrumentality thereof;
- 4) any State of the United States, any U.S. Territory, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality of any one or more of the foregoing;
- 5) any organization exempt from taxation 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;
- 6) any bank as defined in section 581 of the U.S. Internal Revenue Code;
- 7) any real estate investment trust as defined in section 856 of the U.S. Internal Revenue Code;
- 8) any regulated investment company as defined in section 851 of the U.S. Internal Revenue Code or any entity registered with the U.S. Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Model 1A IGA Reciprocal, Preexisting TIEA or DTC August 19, 2013 80a-64);
- 9) 80a-64);
- 10) any common trust fund as defined in section 584(a) of the U.S. Internal Revenue Code;
- 11) any 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;
- 12) 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 State; or
- 13) a broker as defined in section 6045(c) of the U.S. Internal Revenue Code.

7. Registered Deemed-Compliant Financial Institution or Certified Deemed-Compliant Financial Institution

- 1) Financial Institution with a Local Client Base

A Financial Institution satisfying the following requirements:

- a) The Financial Institution must be licensed and regulated as a financial institution under the laws of the Republic of Poland;
- b) The Financial Institution must have no fixed place of business outside of the Republic of Poland. For this purpose, a fixed place of business does not include a location that is not advertised to the public and from which the Financial Institution performs solely administrative support functions;
- c) The Financial Institution must not solicit customers or Account Holders outside the Republic of Poland. For this purpose, a Financial Institution shall not be considered to have solicited customers or Account Holders outside the Republic of Poland merely because the Financial Institution (a) operates a website, provided that the website does not specifically indicate that the Financial Institution provides Financial Accounts or services to nonresidents, and does not otherwise target or solicit U.S. customers or Account Holders, or (b) advertises in print media or on a radio or television station that is distributed or aired primarily within the Republic of Poland but is also incidentally distributed or aired in other countries, provided that the advertisement does not specifically indicate that the Financial Institution provides

Financial Accounts or services to nonresidents, and does not otherwise target or solicit U.S. customers or Account Holders;

- d) The Financial Institution must be required under the laws of the Republic of Poland to identify resident Account Holders for purposes of either information reporting or withholding of tax with respect to Financial Accounts held by residents or for purposes of satisfying the Republic of Poland's AML due diligence requirements;
- e) At least 98 percent of the Financial Accounts by value maintained by the Financial Institution⁴ must be held by residents (including residents that are Entities) of the Republic of Poland [or a Member State of the European Union];⁵
- f) Beginning on or before July 1, 2014, the Financial Institution must have policies and procedures, consistent with those set forth in Annex I, to prevent the Financial Institution from providing a Financial Account to any Nonparticipating Financial Institution and to monitor whether the Financial Institution opens or maintains a Financial Account for any Specified U.S. Person who is not a resident of the Republic of Poland (including a U.S. Person that was a resident of the Republic of Poland when the Financial Account was opened but subsequently ceases to be a resident of the Republic of Poland) or any Passive NFFE with Controlling Persons who are U.S. residents or U.S. citizens who are not residents of the Republic of Poland;
- g) Such policies and procedures must provide that if any Financial Account held by a Specified U.S. Person who is not a resident of the Republic of Poland or by a Passive NFFE with Controlling Persons who are U.S. residents or U.S. citizens who are not residents of the Republic of Poland is identified, the Financial Institution must report such Financial Account as would be required if the Financial Institution were a Reporting the Republic of Poland Financial Institution (including by following the applicable registration requirements on the IRS FATCA registration website) or close such Financial Account;
- h) With respect to a Preexisting Account held by an individual who is not a resident of the Republic of Poland or by an Entity, the Financial Institution must review those Preexisting Accounts in accordance with the procedures set forth in Annex I applicable to Preexisting Accounts to identify any U.S. Reportable Account or Financial Account held by a Nonparticipating Financial Institution, and must report such Financial Account as would be required if the Financial Institution were a Reporting the Republic of Poland Financial Institution (including by following the applicable registration requirements on the IRS FATCA registration website) or close such Financial Account;
- i) Each Related Entity of the Financial Institution that is a Financial Institution must be incorporated or organized in the Republic of Poland and, with the exception of any Related Entity that is a retirement fund described in paragraphs A through D of section II of this Annex II, satisfy the requirements set forth in this paragraph A; and
- j) The Financial Institution must not have policies or practices that discriminate against opening or maintaining Financial Accounts for individuals who are Specified U.S. Persons and residents of the Republic of Poland.

2) Local Bank

A Financial Institution satisfying the following requirements:

- a) The Financial Institution operates solely as (and is licensed and regulated under the laws of the Republic of Poland as) (a) a bank or (b) a credit union or similar cooperative credit organization that is operated without profit;
- b) The Financial Institution's business consists primarily of receiving deposits from and making loans to, with respect to a bank, unrelated retail customers and, with respect to a credit union or similar cooperative credit organization, members, provided that no member has a greater than five percent interest in such credit union or cooperative credit organization;
- c) The Financial Institution satisfies the requirements set forth in subparagraphs A(2) and A(3) of this section, provided that, in addition to the limitations on the website described in subparagraph A(3) of this section, the website does not permit the opening of a Financial Account;
- d) The Financial Institution does not have more than \$175 million in assets on its balance sheet, and the Financial Institution and any Related Entities, taken together, do not have more than \$500 million in total assets on their consolidated or combined balance sheets; and

- e) Any Related Entity must be incorporated or organized in the Republic of Poland, and any Related Entity that is a Financial Institution, with the exception of any Related Entity that is a retirement fund described in paragraphs A through D of section II of this Annex II or a Financial Institution with only low-value accounts described in paragraph C of this section, must satisfy the requirements set forth in this paragraph B.

3) Financial Institution with Only Low-Value Accounts

A the Polish Financial Institution satisfying the following requirements:

- a) The Financial Institution is not an Investment Entity;
- b) No Financial Account maintained by the Financial Institution or any Related Entity has a balance or value in excess of \$50,000, applying the rules set forth in Annex I for account aggregation and currency translation; and
- c) The Financial Institution does not have more than \$50 million in assets on its balance sheet, and the Financial Institution and any Related Entities, taken together, do not have more than \$50 million in total assets on their consolidated or combined balance sheets.

4) Qualified Credit Card Issuer

Polish Financial Institution satisfying the following requirements:

- a) The Financial Institution is a Financial Institution solely because it is an issuer of credit cards that accepts deposits only when a customer makes a payment in excess of a balance due with respect to the card and the overpayment is not immediately returned to the customer; and
- b) Beginning on or before July 1, 2014, the Financial Institution implements policies and procedures to either prevent a customer deposit in excess of \$50,000, or to ensure that any customer deposit in excess of \$50,000, in each case applying the rules set forth in Annex I for account aggregation and currency translation, is refunded to the customer within 60 days. For this purpose, a customer deposit does not refer to credit balances to the extent of disputed charges but does include credit balances resulting from merchandise returns.

5) Trustee-Documented Trust

A trust established under the laws of the Republic of Poland to the extent that the trustee of the trust is a Reporting U.S. Financial Institution, Reporting Model 1 FFI, or Participating FFI and reports all information required to be reported pursuant to the Agreement with respect to all U.S. Reportable Accounts of the trust.

6) Sponsored Investment Entity and Controlled Foreign Corporation

A Financial Institution described in subparagraph B(1) or B(2) of this section having a sponsoring entity that complies with the requirements of subparagraph B(3) of this section.

- a) A Financial Institution is a sponsored investment entity if (a) it is an Investment Entity established in the Republic of Poland that is not a qualified intermediary, withholding foreign partnership, or withholding foreign trust pursuant to relevant U.S. Treasury Regulations; and (b) an Entity has agreed with the Financial Institution to act as a sponsoring entity for the Financial Institution.
- b) A Financial Institution is a sponsored controlled foreign corporation if (a) the Financial Institution is a controlled foreign corporation⁶ organized under the laws of the Republic of Poland that is not a qualified intermediary, withholding foreign partnership, or withholding foreign trust pursuant to relevant U.S. Treasury Regulations; (b) the Financial Institution is wholly owned, directly or indirectly, by a Reporting U.S. Financial Institution that agrees to act, or requires an affiliate of the Financial Institution to act, as a sponsoring entity for the Financial Institution; and (c) the Financial Institution shares a common electronic account system with the sponsoring entity that enables the sponsoring entity to identify all Account Holders and payees of the Financial Institution and to access all account and customer information maintained by the Financial Institution including, but not limited to, customer identification information, customer documentation, account balance, and all payments made to the Account Holder or payee.
- c) The sponsoring entity complies with the following requirements:

- i. The sponsoring entity is authorized to act on behalf of the Financial Institution (such as a fund manager, trustee, corporate director, or managing partner) to fulfill applicable registration requirements on the IRS FATCA registration website;
- ii. The sponsoring entity has registered as a sponsoring entity with the IRS on the IRS FATCA registration website;
- iii. If the sponsoring entity identifies any U.S. Reportable Accounts with respect to the Financial Institution, the sponsoring entity registers the Financial Institution pursuant to applicable registration requirements on the IRS FATCA registration website on or before the later of December 31, 2015 and the date that is 90 days after such a U.S. Reportable Account is first identified;
- iv. The sponsoring entity agrees to perform, on behalf of the Financial Institution, all due diligence, withholding, reporting, and other requirements that the Financial Institution would have been required to perform if it were a Reporting Polish Financial Institution;⁷
- v. The sponsoring entity identifies the Financial Institution and includes the identifying number of the Financial Institution (obtained by following applicable registration requirements on the IRS FATCA registration website) in all reporting completed on the Financial Institution's behalf; and
- vi. The sponsoring entity has not had its status as a sponsor revoked.

7) Sponsored, Closely Held Investment Vehicle

A Polish Financial Institution satisfying the following requirements:

- a) The Financial Institution is a Financial Institution solely because it is an Investment Entity and is not a qualified intermediary, withholding foreign partnership, or withholding foreign trust pursuant to relevant U.S. Treasury Regulations;
- b) The sponsoring entity is a Reporting U.S. Financial Institution, Reporting Model 1 FFI, or Participating FFI, is authorized to act on behalf of the Financial Institution (such as a professional manager, trustee, or managing partner), and agrees to perform, on behalf of the Financial Institution, all due diligence, withholding, reporting, and other requirements that the Financial Institution would have been required to perform if it were a Reporting Polish Financial Institution;
- c) The Financial Institution does not hold itself out as an investment vehicle for unrelated parties;
- d) Twenty or fewer individuals own all of the debt interests and Equity Interests in the Financial Institution (disregarding debt interests owned by Participating FFIs and deemed-compliant FFIs and Equity Interests owned by an Entity if that Entity owns 100 percent of the Equity Interests in the Financial Institution and is itself a sponsored Financial Institution described in this paragraph C); and
- e) The sponsoring entity complies with the following requirements:
 - i. The sponsoring entity has registered as a sponsoring entity with the IRS on the IRS FATCA registration website;
 - ii. The sponsoring entity agrees to perform, on behalf of the Financial Institution, all due diligence, withholding, reporting, and other requirements that the Financial Institution would have been required to perform if it were a Reporting Polish Financial Institution and retains documentation collected with respect to the Financial Institution for a period of six years;
 - iii. The sponsoring entity identifies the Financial Institution in all reporting completed on the Financial Institution's behalf; and
 - iv. The sponsoring entity has not had its status as a sponsor revoked.

8) Investment Advisors and Investment Managers

An Investment Entity established in the Republic of Poland that is a Financial Institution solely because it (1) renders investment advice to, and acts on behalf of, or (2) manages portfolios for, and acts on behalf of, a customer for the purposes of investing, managing, or administering funds deposited in the name of the customer with a Financial Institution other than a Nonparticipating Financial Institution.

9) Collective Investment Vehicle

An Investment Entity established in the Republic of Poland that is regulated as a collective investment vehicle, provided that all of the interests in the collective investment vehicle (including debt interests in excess of \$50,000) are held by or through one or more exempt beneficial owners, Active NFFEs described in subparagraph B(4) of section VI of Annex I, U.S. Persons that are not Specified U.S. Persons, or Financial Institutions that are not Nonparticipating Financial Institutions.

8. Participating Financial Institution

Financial Institution from the country which has not signed the IGA (Intergovernmental Agreement, ie. the agreement between the US government and the government of another country on the strengthening of cooperation in tax matters and the implementation of FATCA), which also has a current bidding contract under civil law in the scope of FATCA with the IRS (Internal Revenue Service), and therefore is on the IRS website. Also Financial Institution from the state that has signed the IGA and which is on the IRS website or Financial Institution which is from the state which signed the IGA Model 1, inserted on the page: <http://www.treasury.gov/resource-center/tax-policy/treaties/Pages/FATCA-Archive.aspx>.

9. Nonparticipating Financial Institution

The term means a nonparticipating FFI, as that term is defined in relevant U.S. Treasury Regulations, but does not include a Polish Financial Institution or other Partner Jurisdiction Financial Institution other than a Financial Institution treated as a Nonparticipating Financial Institution pursuant to subparagraph 2(b) of Article 5 of this Agreement or the corresponding provision in an agreement between the United States and a Partner.