

Declaration of Account Holder¹ (Customer) regarding connections with the United States for the purpose of complying with the stipulations of Act XIX of 2014.

(FATCA* DECLARATION)

For legal persons and companies with no legal personality

Identification data	
Name of legal person:	
Tax identification number:	
customer ID (to be completed by the administrator)	

In order to determine whether you are a **U.S. person** for the purpose of FATCA, please be so kind as to answer all the questions in the following table.

Question	Answer <i>(to be completed by the Customer)</i>	Additional form completed ¹² <i>(to be completed by the Administrator)</i>
1. Is the company incorporated or organized in the United States?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> W-9 <input type="checkbox"/> W-8BEN-E
2. Is the company's registered seat or branch located in the United States?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> W-9 <input type="checkbox"/> W-8BEN-E
3. Does it qualify to be a financial institution? if yes: - Hungarian Financial Institution ² - Partner Jurisdiction Financial Institution ³ - Nonparticipating financial institution ⁴	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> W-8BEN-E
4. Do you have a GIIN ⁵ number?	<input type="checkbox"/> YES <input type="checkbox"/> NO	
5. Is the company a passive, non-financial, non-U.S. entity? ⁶ If yes: Is there a Controlling Person ⁹ at the company who, for taxation purposes, is deemed to be a U.S. citizen ⁷ or a person with U.S. indicia ⁸ ?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> W-9 <input type="checkbox"/> W-8BEN-E
6. Is the company acting as an intermediary? ¹⁰	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> W-8IMY
7. Is the company a U.S. government entity, an international organization, a foreign central bank of issue, a tax-exempt government entity, a private foundation or a government of a U.S. Territory ¹¹ ?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> W-8EXP
8. Is the company a U.S. entity with income that is effectively connected with the conduct of a trade or business in the United States?	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> W-8ECI

If you answered YES to any of the questions, you are deemed to be a **U.S. person** and, consequently, a U.S. taxpayer for the purpose of FATCA. You may then complete a further tax form¹² in order to certify that

- you have a U.S tax identification number and are a U.S. person; or
- you are a non-U.S. person.

The additional form, along with the submission of the relevant legally mandated documentation, can support your claim about your status as a U.S. or non-U.S. person.

If your FATCA declaration is incomplete or you do not wish to make a FATCA declaration or complete any tax form, you shall by law be treated as a U.S. person falling under the scope of FATCA and your data shall be processed and submitted to the National Tax and Customs Administration (hereinafter: NAV) accordingly, which in turn forwards the data to the IRS.

(Sample forms and instructions can be obtained from our colleagues.)

By signing the present declaration, I certify that the information entered above is true and complete. I further certify that I am aware of my obligation to inform the account-keeping credit institution within 30 days of learning about any change to the information submitted hereby. I understand that I shall be liable for any adverse occurrence that arises from my failure to comply with the aforementioned obligation.

I certify that I have received and read the document entitled „Information on compliance with the stipulations of FATCA” prior to completing the present declaration.

In light of the above points, I acknowledge that the account-keeping credit institution may be obliged to report to NAV the information I provided in my declaration.

Date:

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 YYYY

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 MM

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 DD

Authorized signature of Customer:

Account holder¹:

The person listed or identified as the holder of a Financial Account by the account-keeping credit institution that maintains the account. A person, other than a Financial Institution, holding a Financial Account for the benefit or account of another person as agent, custodian, nominee, signatory, investment advisor, or intermediary, is not treated as holding the account for purposes of this Agreement, and such other person is treated as holding the account.

Hungarian Financial Institution²: (i) any Financial Institution resident in Hungary, but excluding any branch of such Financial Institution that is located outside Hungary, and (ii) any branch of a Financial Institution not resident in Hungary, if such branch is located in Hungary.

Partner Jurisdiction Financial Institution³: (i) any Financial Institution established in a Partner Jurisdiction, but excluding any branch of such Financial Institution that is located outside the Partner Jurisdiction, and (ii) any branch of a Financial Institution not established in the Partner Jurisdiction, if such branch is located in the Partner Jurisdiction.

Nonparticipating Financial Institution⁴: a nonparticipating Foreign Financial Institution (FFI), as that term is defined in relevant U.S. Treasury Regulations, but does not include a Hungarian 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 Jurisdiction.

GIIN number⁵: Global Intermediary Identification Number

Passive, non-financial, non-U.S. entity⁶: any non-financial entity (NFFE) that is not (i) an Active NFFE, or (ii) a withholding foreign partnership or withholding foreign trust pursuant to relevant U.S. Treasury Regulations .

i. Active Entity (non-financial: NFFE): any company that meets any of the following criteria:

- a) 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;
- b) 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 regularly traded on an established securities market;
- c) 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;
- d) 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;
- e) 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 Entity shall not qualify for NFFE 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;
- f) 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;
- g) 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;
- h) 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;
- i) The NFFE is an "excepted NFFE" as described in relevant U.S. Treasury Regulations; or

j) The NFFE meets all of the following requirements:

- 1) 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;
- 2) It is exempt from income tax in its jurisdiction of residence;
- 3) It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- 4) 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
- 5) 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.

U.S. citizen⁷:

U.S. citizenship may be obtained by birth or may be granted.

Persons whose parents are both U.S. nationals shall be regarded as U.S. citizens.

Furthermore, a person shall be regarded as a U.S. citizen if that person:

- (i) was born in the United States;
- (ii) was not born in the United States but one parent is a U.S. citizen or national,
- (iii) obtained U.S. citizenship through naturalization,
- (iv) was born in a U.S. Territory, including but not limited to Puerto Rico, Guam or the U.S. Virgin Islands
- (v) qualifies to be a U.S. citizen according to any other stipulation of the United States Code.

Person with U.S. indicia⁸: persons for whom any of the following hold true: holder of a Green Card, has a U.S. place of birth, has a U.S. address or other residence, has a U.S. mailing address or P.O. box, has a subscription with a U.S. service provider for cellular or landline services, has a standing transfer order for an account maintained in the U.S. or has authorized a U.S. resident to act or sign on their behalf regarding their account.

Controlling persons⁹: the natural persons who exercise control over an Entity. In the case of a trust, such term means the settlor, the trustees, the protector (if any), the beneficiaries or class of beneficiaries, and any other natural person exercising ultimate effective control over the trust, and in the case of a legal arrangement other than a trust, such term means persons in equivalent or similar positions. The term “Controlling Persons” shall be interpreted in a manner consistent with the Financial Action Task Force Recommendations.

Person acting as an intermediary¹⁰: An intermediary is any person that acts as a custodian, broker, nominee, or otherwise as an agent for another person, regardless of whether that other person is the beneficial owner of the amount paid, a flow-through entity, or another intermediary.

USA territories¹¹: American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico or the American Virgin Islands.

Tax forms to be completed (in the case of „YES” answers) and associated documents to be submitted¹²

- Questions 1-2: Form W-9 or W-8BEN-E
- Question 3: Form W-8BEN-E, provided that the account holder declares that it is a „Nonparticipant Financial Institution”
- Question 5: Form W-9 or W-8BEN-E. If the company declares that it has a Controlling Person who, for taxation purposes, is deemed to be a U.S. citizen or a person with U.S. indicia, Form W-9 or W-8BEN shall be submitted for the relevant Controlling Person.
- Question 6: Form W-8IMY
- Question 7: Form W-8EXP
- Question 8: Form W-8ECI