

IMPORTANT INFORMATION REGARDING LEGAL ENTITY ACCOUNTS

Effective May 11, 2018, the Bank Secrecy Act requires financial institutions to collect additional identifying information of beneficial owners when opening an account for a covered legal entity.

WHY DOES THE BANK NEED INFORMATION ON THE OWNERS OF MY BUSINESS/ORGANIZATION?

To help the government fight financial crime, Federal regulation requires certain financial institutions to obtain, verify and record information about the beneficial owners of legal entity customers. Legal entities can be abused to disguise involvement in terrorist financing, money laundering, tax evasion, corruption, fraud, and other financial crimes. Requiring the disclosure of key individuals who own or control a legal entity (i.e., the beneficial owners) helps law enforcement investigate and prosecute these crimes.

WHO HAS TO COMPLETE THE CERTIFICATION FORM FOR BENEFICIAL OWNERS?

The certification form must be completed by the person opening a new account on behalf of a legal entity with any of the following U.S. financial institutions: (i) a bank or credit union; (ii) a broker or dealer in securities; (iii) a mutual fund; (iv) a futures commission merchant; or (v) an introducing broker in commodities.

For the purposes of the certification form, a legal entity includes a corporation, limited liability company, or other entity that is created by a filing of a public document with a Secretary of State or similar office, a general partnership, and any similar business entity formed in the United States or a foreign country. Legal entity does not include sole proprietorships, unincorporated associations, or natural persons opening accounts on their own behalf.

WHAT INFORMATION DO I HAVE TO PROVIDE?

The certification form requires you to provide the name, address, date of birth and Social Security number (or passport number or other similar information, in the case of foreign persons) for the following individuals (i.e., the beneficial owners):

(i) Each individual, if any, who owns, directly or indirectly, 25 percent or more of the equity interests of the legal entity customer (e.g., each natural person that owns 25 percent or more of the shares of a corporation); and

(ii) An individual with significant responsibility for managing the legal entity customer (e.g., a Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President, or Treasurer).

The number of individuals that satisfy this definition of "beneficial owner" may vary. Under section (i), depending on the factual circumstances, up to four individuals (but as few as zero) may need to be identified. Regardless of the number of individuals identified under section (i), you must provide the identifying information of one individual under section (ii). It is possible that in some circumstances the same individual might be identified under both sections (e.g., the President of Acme, Inc. who also holds a 30% equity interest). Thus, a completed form will contain the identifying information of at least one individual (under section (ii)), and up to five individuals (i.e., one individual under section (ii) and four 25 percent equity holders under section (i)). The financial institution may also ask to see a copy of a driver's license or other identifying document for each beneficial owner listed on this form.

WHAT DOES SIGNING THE CERTIFICATION FORM FOR BENEFICIAL OWNERS MEAN?

Signing certifies, to the best of the signer's knowledge, information supplied on the form is complete and correct.

IS THIS INFORMATION KEPT CONFIDENTIAL?

Yes, Fidelity Bank follows privacy and information security requirements that include non-public customer information.

WILL THIS INFORMATION BE COLLECTED MORE THAN ONCE?

Yes, the bank may periodically ask the legal entity at 1) the time a new account is opened, 2) an account is renewed, 3) or an account or relationship is modified to re-certify the beneficial ownership of the legal entity.

