

**Unibank** and its subsidiaries notify that from July 1st, 2014 it is valid the Foreign Account Tax Compliance Law or FATCA, which was determined as a law in the United States of America and all its territories on March 18th, 2010.

**Unibank** and its subsidiaries, always committed with the compliance of all the approved obligations by national and international regulators, because of their financial activity, has made the necessary adaptations to their processes in order to comply with these obligations in the most efficient way to comply with that law.

**Unibank** and its subsidiaries have been registered in the Internal Revenue Service of the United States of America (IRS) in order to comply with the FATCA instructions. The IRS has identified Unibank with the following GIIN (*Global Intermediary Identification Number*):

Name of the Company	GIIN
Unibank, S.A.	DZJ43X.00000.LE.591
Invertis Securities, SA	K92BII.99999.SL.591

### **What is FATCA?**

FATCA (*Foreign Account Tax Compliance Act*) is a Law of the United States of America, which main purpose is to identify the American taxpayers who use their financial accounts outside the territory of the United States of America. This law is valid from July 1st, 2014 and Panama, as well as other countries join the list of countries in process of signing an IGA, with the U.S. for the compliance of this law.

### **What is an IGA?**

IGA is an Intergovernmental Agreement that establishes a partnership agreement between the U.S. and a jurisdiction pursuant to FATCA, through a bilateral agreement or contract between two countries.

The IGA facilitates to partner countries to comply with the FATCA instruction.

Panama join the list of countries in process of signing an IGA - 1st model (reciprocal model), on May 2nd, 2014.

### **What is the IRS?**

Is the service and collection of Internal Revenue of the United States of America for the payment of taxes To American citizens (IRS = *Internal Revenue Service*).

**What is the TIN (Tax Identification Number)?**

It refers to the tax identification number in the United States of America. For individuals, this number is equal to the SSN (*Social Security Number*). For companies of the United States, this number is also known as the EIN (*Employer Identification Number*). This number is similar to national ID number or equivalent to RUC in Panama.

**Who is a U.S. person according to FATCA?**

To any person born in the U.S. or any of its territories: Puerto Rico, Northern Mariana Islands, United States Virgin Islands, Guam and American Samoa, with the exception of those who have giving up the U.S. nationality:

To the U.S. citizens

To legal residents of the U.S.(including holders of a "Green Card" ).

Persons who meet the conditions of the substantial presence test (more than 31 days in the current year and 183 days or more in the last 3 years).

To corporations, properties, or trusts constituted under the U.S. laws.

**I am not a U.S. Person. What means FATCA for me?**

In order to comply the law, we require additional information during the process of opening of accounts, with the objective to confirm that you are not a U.S. person.

**I am a U.S. Person. What means FATCA for me?**

If you are a U.S. person you must complete the [Form W-9](#) and present it to **Unibank** to attach it to your file. Your information could be shared with the local authority if they meet conditions establish in the Intergovernmental Agreement (IGA).

Similarly, in the case that there are signs of U.S. citizenship and their territories, customers need to complete the [Form W-8](#) (born in U.S.)

\*\* It is understood that there are signs of U.S. citizenship when:

- It designates the holder of an account as a citizen or resident of the U.S.
- His place of birth is the U.S.
- It have an address of residence in the U.S. or email address in the U.S.(including a mail box in the U.S.)
- It details a phone number in the U.S. rather than any phone number outside of the U.S.
- It gives permanent instructions for transferring funds to an account maintained in the U.S.

**Now my banking information will not be confidential?**

Unibank and its subsidiaries, have a strict policy of confidentiality and data protection for their customers.

**Do you require my consent to share my information?**

In countries that have signed or are waiting to finalize the signing of an IGA with the U.S. (as is the case of Panama) about FATCA; the report to the authorities when applied shall be a legal requirement and without the obligation to require the consent of the customer.

**What happens if I refused to answer questions relating to FATCA or not to complete the forms related to FATCA?**

If you choose not to answer the information requirements asked by FATCA, the procedure will be according to the applicable banking law and regulations. In countries such as ours, which is in the process of sign an IGA with the U.S about FATCA; if the local law allows, Unibank may be not to provide the product or service requested, since the requirements of this regulation are mandatory.

**I am a U.S. citizen, but I have not lived for years or never in the U.S., FATCA applies to me?**

Yes. A U.S. citizen who lives outside the U.S. is including in the definition of U.S. Person. of the United States". If you are not sure of your tax obligations with the U.S., we suggest that you consult a qualified professional expert in matters of taxation.

**I have a joint account with a "person of the United States", It should be reported my account?**

A joint account where you have one or more "person of the United States" will be treated as an account that could be ask for a report, regardless of which person manage the account. The FATCA regulations treat each account holder as a beneficiary of the entire account. If one or more account holders are identified as "person of the United States" to each one of these account holders will be assigned the total balance of the account.

**FATCA, applies only to personal bank accounts?**

No. The FATCA regulations apply to various types of financial accounts, for example: commercial accounts or business, insurance contracts and investment accounts -among others.

**FATCA applies to all types of life insurance?**

FATCA applies only to life insurance policies with cash value, and life annuity contracts.

**Who can provide expert advice on the FATCA Law?**

If you require further information or advice, we suggest that you consult a professional or expert lawyer on matters of taxation.

**Where can I find more information about FATCA?**

You can get more information by visiting the Web site of the IRS (Internal Revenue Service U.S.):

<http://www.irs.gov/>

<http://www.treasury.gov/resource-center/tax-policy/treaties/Pages/FATCA.aspx>

*This text, is published for information purposes only, is a summary of certain general aspects of FATCA and does not include, nor is it intended to include all relevant aspects of the regulation. The information contained herein is subject, among others to: (i) policy changes in Panama and in the United States, (ii) the signature of an IGA between Panama and the United States, (ii) a change of interpretation of the rules or local foreign by the authorities or the financial institutions in Panama or in the United States. This article is not intended to provide advice or make recommendations in relation to FATCA.*