

CRS classifications and CRS due diligence

Usual misunderstandings and deficiencies observed during CRS audits.

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Charlie Willcox is an independent consultant with Helm Advisors, specialising in providing advice and assistance with regard to all aspects of the FATCA and CRS regimes and regulatory compliance. Charlie has worked in the financial services industry for over 40 years, including a spell with the UK Regulator. Charlie worked for the UK Financial Services Regulator for five years, leading a supervisory team responsible for IFAs, small asset managers. Prior to becoming an independent consultant, Charlie worked for fifteen years for the Stonehage Fleming Group, a large and globally-represented multi-family office where he implemented the FATCA and CRS regimes and was responsible for ensuring compliance with these regimes across the global group, on an ongoing basis.

CRS CLASSIFICATIONS

Thursday 18 April 2024 - 14.00-17.30

General Approach

- The classification "cascade"
- What is the order of priority and can this be varied?
- Understanding the exceptions – certain Active NFEs
- How to determine the residency of an entity and why is this important

Classification as a Financial Institution

- Financial Institutions defined: what is a "Type A" investment entity and what is a "Type B" investment entity and how to determine which is which
- Understanding the "managed by" test: practical ways to ensure the managed by test is met
- Understanding the "gross income" test

Classification as an Active NFE

- Types of Active NFEs defined
- How many types of Active NFE are there and which are the most common
- What are the criteria to be met for each type of Active NFE
- Understanding what are Passive Assets and Passive Income
- Understanding what is a holding company of a non-financial group
- What is a Non-profit NFE?

CRS DUE DILIGENCE

Friday 19 April 2024 - 9.00-12.30

Pre-Existing Accounts

- Documenting the pre-existing due diligence process
- Policy choices made, e.g. split of high/low value accounts
- Use of self-certifications or reliance on address test
- Relationship Manager enquiry and paper record searches
- Curing indicia
- Handling of undocumented accounts
- Control and oversight procedures
- Follow up to obtain TINs

Tax Residency

- Determining the tax residency of individual account holders
- Reliance on self-certification forms
- Determining the tax residency of entity account holders
- How to determine where an entity is tax resident
- Where an entity is not tax resident anywhere how to determine its residency for CRS purposes
- Dealing with dual-resident entities

New Accounts

- Definition of a new account: new clients, additional account holders
- Individual accounts; the due diligence rules explained

- Requirement for self-certification forms
- The "reasonableness test" explained and how to properly apply it
- What to do when discrepancies are noted
- Dealing with jurisdictions that offer CBI/RBI schemes
- When further documentary evidence is required
- Entity Accounts; the due diligence rules explained
- Requirement for self-certification forms
- The "reasonableness test" explained and how to properly apply it
- Understanding who is a Controlling Person of different types of entities that are Passive NFEs
- The "look through" requirement explained and when this is required

Change of Circumstance (CIC)

- Definition of a Change of Circumstance: individuals, entities
- Practical ways to identify a CIC
- Requirements when a CIC is identified

Closed Accounts

- Account closures defined
- Liquidation of a structure and distribution of assets
- Transfer out to another provider
- When is an account deemed closed
- Procedural requirements for account closures

CRS classifications and CRS due diligence

PRACTICAL INFORMATION

Venue
Hotel Le Royal
12 boulevard Royal, luxembourg

Visio conference on Zoom
The Zoom link and the documentation will be sent to the participants on 17 April in the afternoon. Academy & Finance provides technical assistance during the conference.

How to register
by phone: +41 (0) 22 849 01 11
by fax: +41 (0) 22 849 01 10
by e-mail: info@academyfinance.ch
by post: Academy & Finance SA
PO Box 6069, CH-1211 Geneva 6
www.academyfinance.ch

Fees
Seminar 18 April: 540 euros
Seminar 19 April: 540 euros
Additional registrations from the same company:
- 50%

Registration and payment
Payment is made by bank transfer or by credit card. Credit card payments will be debited immediately upon receipt of card details. In any case, we will send you an invoice by email.

Substitution & cancellation policy
Substitutions from the same company are accepted at any time. Cancellation requests must be received in writing, by fax or by post up to the following dates end of business :
• 17 April refund of 90%
• after 17 April no refund will be made for cancellation.

REGISTRATION FORM

- I register for the seminar "CRS classifications" on 18 April 2024 (14.00-17.30).
 I register for the seminar "CRS due diligence" on 19 April 2024 (9.00-12.30).
 I will attend in the conference room I will attend online on Zoom

FIRST PARTICIPANT

Full name.....
Position.....
E-mail.....

SECOND PARTICIPANT (-50%)

Full name.....
Position.....
E-mail.....

Company.....
Address.....
Postcode..... City.....
Tel Mobile.....

Person to which the invoice must be sent for payment:

Name..... Email.....
Bank transfer Mastercard VISA
Credit card No : ____/____/____/____ Expiry date : ____/____
Cardholder.....
Date Signature.....