AIA Hong Kong
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Memo

Attn: All EDDAs / EDDs / SDDs / DDs /
Agency Leaders / Agents
(Hong Kong and Macau)

From: Miranda Leung
Head of Services & Operations

Co/Dept:

Dept: Services and Operations Department

Date: 15 April 2014

Total page: 9 + appendix

Copy: All Department Heads

Subject: (Ref:A140440) 遵循「美國外國帳戶稅務合規法案」的營運程序
The U.S. Foreign Account Tax Compliance Act (FATCA)Operational Procedures

根據公司於 2014 年 4 月 9 日發出編號 A140412 有關遵循「美國外國帳戶稅務合規法案」之通告。我們很高興在這裡有機會介紹由 2014 年 5 月 1 日起此法案如何影響核保、保戶服務及賠償的營運程序。

核保

當申請人投保有關法規案內的產品時，如具有美國人特徵，客戶需遞交報稅表格 W-8BEN 或 W-9。因應遵循「美國外國帳戶稅務合規法案(FATCA)」之相關規定，倘若客戶具有美國人特徵但未能提供相關稅務文件，我們將無法接受有關投保申請。以下是所需文件:

申請人		美國人特徵	所需文件
個人客戶	有美國人特徵但客戶聲明不是美國人	美國永久住址	W-8BEN 表格 + 由委任之專業稅務人員發出的解釋
		– 美國通訊地址	W-8BEN 表格 + 客戶解釋
		– 美國住址 – 美國電話(沒有非美國電話) – 行常指示付款到在美國開設的銀行(暫時不適用) – 委託書內被委託人或被授權人具有美國地址	W-8BEN 表格
		出生地點為美國(唯一美國人特徵)	放棄美國國籍證明書(由美國政府發出以證明放棄美國國籍)
		出生地點為美國並擁有其他美國人特徵	W-8BEN 表格 + 放棄美國國籍證明書
	如果客戶是美國人	– 美國國籍 – 美國公民 – 綠卡持有人	W-9 表格
機構客戶	美國信託或美國機構	於美國成立或法律依據地為美國	W-9 表格
	非美國信托或非美國機構	機構可以及將會辨識其「外國帳戶稅務合規法案」的身分	W-8BEN-E 表格
		機構已經向美國稅務局註冊，並提供全球中間機構辨別號碼 (GIIN)	全球中間機構辨別號碼 (GIIN)
		機構不能辨識其「外國帳戶稅務合規法案」的狀況	機構身分確認聲明書(如被分類為以上狀況，可能需要其他補充文件)

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保戶服務

以下是受「外國帳戶稅務合規法案」的規則所影響的保戶服務申請(案內的產品保單)：

	保戶服務申請	美國人特徵	當發現美國特徵時的跟進
個人客戶	更改保單持有人	– 國藉 – 綠卡 – 地址 – 電話 – 出生地點	申請不會受美國特徵所影響，跟進會即時完成。保戶服務部會於稍後發信致客戶要求遞交稅務表格。
	更改地址	– 地址 – 電話	
	更改個人資料	– 國藉 – 綠卡 – 出生地點	
	保單提款	– 郵遞支票到美國地址	
	進修貸款	– 地址 – 電話	
機構客戶	更改保單持有人(新保單持有人為機構)	跟據「外國帳戶稅務合規法案」將機構分類(例如美國機構，金融機構，非金融機構等)。對於被動非金融機構，我要識別機構內的股權持有人是否美國人身份。	當收妥稅務表格或/和機構身分確認聲明書後，跟進才可完成。
	絕對轉讓致融資銀行(受讓人為機構)		跟進會即時完成，其後公司會直接聯絡受讓人以跟進機構分類事宜。

理賠

以下是受「外國帳戶稅務合規法案」的規則所影響的理賠申請(案內的產品保單)：

	理賠付款	美國人特徵	當發現美國人特徵時的跟進
個人客戶	死亡賠償(受益人為個人)	– 國藉 – 綠卡 – 地址 – 電話 – 出生地點	死亡賠償將於收到所須稅務表格後才可發放。
	生存賠償(保單持有人為個人)	要求郵遞支票到美國地址	賠償不會因未收到所須文件而暫停發放。公司會於稍後發信致客戶要求遞交稅務表格。
機構客戶	死亡賠償(受益人為機構)	將每個機構客戶按法案分類	死亡賠償將於收到所須稅務表格後才可發放。
	生存賠償(保單持有人為機構)	無需跟進	

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什麼是案內的產品 ？

美國人可購買除「自悠人生」以及其他投資連繫產品外所有公司現行發售的產品(視乎個別產品之核保要求）。新的「外國帳戶稅務合規法案」條文（稱為稅務匯報責任條文）將會加入由2014年5月1日起繕發之保單合約內(包含現金價值或退保價值之保單)。該條文列明因遵循「外國帳戶稅務合規法案」下，保單持有人之責任以及友邦保險之權利(包括終止保單)。條文內容請參考附件一 。

對轉換權益有什麼限制 ？

1. 倘若申請人是美國人，轉換權益不可轉換至「自悠人生」以及其他投資連繫產品。
2. 由於產品之轉換權益只限於轉換至非投資計劃，保單將加入新批註顯示受影響之產品性質。

投保申請書、保戶服務及賠償表格有什麼改動 ？

1. **<u>核保</u>**

壽險意外及醫療保險(保單字首為 B, G, M 及 P) 之投保申請書將根據「外國帳戶稅務合規法案」及「打擊洗錢及恐怖分子資金籌集指引」而作出修訂。

所有投保申請書 (如以下任可一項適用):

i. 修改聲明(f)並加入新的「外國帳戶稅務合規法案」條款
ii. 修改聲明(o)並加入新的「個人資料收集及使用」條款
iii. 新增美國電話(如適用)
iv. 在「保險目的」一項取消「顧員福利」之選擇
v. 修改「每年設定保費 (只適用於投資萬用壽險) 」 及「定存保費」 為「每年基本保費」
vi. 在「每年定期投資」和「每月平均成本投資」位置新增「 金額」
vii. 配合「自悠人生」而新增「投資分配」
viii. 修改「首次額外投資保費」為「整付投資」
ix. 於「整付 / 定存保費」, 取消「自動平衡投資」
x. 取消問題29 因加倍關心門診保障計劃已停售
xi. 修改四項健康狀況問題之字句

詳情請參閱附錄二

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2. 保戶服務及理賠表格

某些保戶服務及賠償表格將會加入新的「外國帳戶稅務合規法案」條款、美國電話號碼或永久地址。同時還加入其他更改，詳情請參閱附錄三。

3. 表格安排

公司會在4 月22日至4 月28日期間，根據各辦事處過往三個月之表格使用量，分派三個月的新修訂的壽險及意外保險申請書、保戶服務及理賠表格到各辦事處。由5月1日起，新修訂的壽險及意外保險申請書、保戶服務及賠償申請表格亦可於公司網頁下載使用。請在5月1日後起用新修訂的投保申請書、保戶服務及賠償部表格，否則你的客戶有可能需要重新簽定新申請表。

請注意於4 月2日至4 月15日於印刷品系統(PSS)預訂表格之申請將無效。由4月16 日至4月29 日中午十二時，新修訂的表格可透過訂取印刷品系統(PSS)訂取，而所預訂的表格，將於5月7 日至5月13 日送到各辦事處。

公司會安排回收所有舊版本的表格，由4月28日至5月2日期間，工作人員會安排五個環保袋送致每個辦事處，於5月12至5 月23日期間回收所有舊版本表格。如對回收舊版本表格之安排有任何查詢，請電郵致 hk.corpsvc-ps@aia.com 或傳真致3118 9021。

如有任何查詢， 請致電營運部熱線（852）2232-8999（香港）或（853）8988-1833（澳門）或親臨友邦香港大樓、九龍灣Manhattan Place 或友邦九龍大樓之營運服務中心或位於澳門的營運部查詢。

Further to the memo (Ref: A140412) issued on April 9, 2014 on US Foreign Account Tax Compliance Act (FATCA), we would like to update you on the new operational measures in Underwriting, POS and Claims which will take effect on May 1, 2014.

Underwriting

Under FATCA, applicant/policyowner with U.S. indicia and U.S. citizens, either a IRS Tax Form W-8Ben or Tax form W9 must be completed.

If an applicant/policyowner refuses to comply with the FATCA requirement, the policy application will not be accepted by the Company.

Below please find the Tax Forms which are required for U.S. indicia and U.S. citizens for your reference.

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Applicant		**U.S. Indicia**	**Documents Required**
Individual Customers	If customer says they are not U.S. person but we found U.S. indicia	U.S. permanent address	W-8BEN form + Tax Attorney Advice (Explanation signed by professional tax advisor) are required.
		U.S. correspondence address	W-8BEN form + explanation are required.
		– U.S. residential address – U.S. telephone number (no Non-U.S. Tele. No.) – Standing instructions to make payment to U.S. bank account (currently not applicable) – Power of Attorney or signatory authority granted to a person with U.S. Address	W-8BEN form is required.
		U.S. place of birth (only indicia)	Certificate of Loss of Nationality (This is given by the U.S. State Department to a person when they lose U.S. nationality) is required.
		U.S. place of birth and any other indicia	W-8BEN form + Certificate of Loss of Nationality are required.
	If the customer is a U.S. person	– U.S. Nationality – U.S. Citizenship – Green Card holder	W-9 form is required.
Corporate Customers	U.S. Trust or U.S. Corporation	Formed or existing under the Law of U.S.	W-9 form is required.
	Non-U.S. Trust or Non-U.S. Corporation	The Corporation can and will identify its status under FATCA	W-8BEN-E form is required.
		the Corporation has been registered with the Internal Revenue Service with GIIN*	GIIN* is required.
		The Corporation cannot identify its FATCA Status	Entity Classification Declaration Form (may need further documents if they are classified as the above status) is required.

*GIIN (Global Intermediary Identification Number)

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POS

Similar to Underwriting & Issue, POS also requires FATCA control on policyowners for the in-scope transactions listed below for your reference.

	POS transactions	**U.S. Indicia**	**Follow up if indicia is found**
Individual customers	Change of Ownership	– Nationality – Green Card – Address – Telephone – Place of Birth	The transaction will be completed instantly. POS will perform monthly checking for affected products every month-end and send the Tax Form Request letter directly to the customers.
	Change of Address	– Address – Telephone	
	Change of Personal Particular	– Nationality – Green Card – Place of Birth	
	Withdrawal	Mail cheque to U.S. address	
	Study Loan	– Address – Telephone	
Corporate Customers	Change of Ownership (new owner is Corporate customer)	Classify each Corporate customer into various FATCA categories (e.g. U.S. entity, Financial Institutions, non-Financial Institutions etc.) and to identify U.S. person shareholders for Passive Non-Financial Foreign Institution.	The transaction will not be completed until the Tax forms and/or Entity Classification Declaration Form are received.
	Absolute Assignment to Financing Banks (Assignee is Corporate Customer)		The transaction will be completed instantly. POS will follow up with the Assignee.

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Claims

Under FATCA, claims payouts are also required to be monitored for individual & corporate customers. Below please find the conditions for your reference.

	Claims Payment	**U.S. Indicia**	**Follow up if indicia is found**
Individual customers	Death Claims (beneficiary is individual)	– Nationality – Green Card – Address – Telephone – Place of Birth	Death payment will *be withheld* until the Tax form is completed by the beneficiary.
	Living Benefits (Policy owner is individual)	Mail cheque to U.S. address	The payment will *not be withheld*. AIA will send the Tax Form Request Letter directly to the Applicant.
Corporate customers	Death Claims (Beneficiary is Corporation)	Classify each Corporate customer into various FATCA categories	Death payment will *be withheld* until FATCA Classification is received.
	Living Benefits (Policy owner is Corporation)	No Action	

What are In-Scope products?

All products are open to U.S. citizens (subject to individual existing Underwriting & Product rules) *except* Cheerful Life Series and Investment Linked products.

For the products that have cash values or surrender values, a new FATCA endorsement (namely “Taxation and Reporting Obligation Provisions”) will be attached to policies issued from 1 May 2014 onwards. The endorsement stipulates the obligations of policyholder and the rights of AIA (including the right to terminate the policy of non-co-operating customer) under FATCA requirements. The sample of endorsement is enclosed in appendix I for your reference.

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What are the limitations of policy Conversion for U.S. person?

1. Conversion to a Cheerful Life Series and Investment Linked Products are not allowed.
2. For conversion to non-ILAS in-scope products, a new endorsement will be enclosed to the contract.

What are the Changes to Underwriting & Issue, POS and Claims forms?

1. <u>On Underwriting:-</u>

The new application forms for Life and Accident & Health (Policy prefix B, G, M, P) have added new FATCA requirements.

All Application Forms (if any of the below is applicable):

i. Modified declaration (f) to incorporate FATCA clauses
ii. Modified declaration (o) to incorporate AML requirement
iii. Additional field of U.S. telephone number (if applicable)
iv. Deleted choice of “Employee Benefit” under “Purpose of Insurance”
v. Changed " Annual Planned Premium (Applicable to VUL only)" & “Planned Premium” to "Annual Basic Premium"
vi. Added " Amount" to “Annual Regular Investment” and “Lump Sum Investment/- Dollar Cost Averaging Monthly Contribution”
vii. Added “Additional fund allocation” for “Cheerful life”
viii. Revised the “initial Top Up Premium” to "Lump Sum Investment"
ix. Deleted "Auto-Rebalancing” for “Single/planned premium”
x. Deleted Q29 since the product Outpatient Basic is shelved
xi. Revised wordings of four Health Questions

Please refer to Appendix II (Application Form with changes highlighted) for details.

2. <u>On POS and Claims Forms</u>

Some of the POS and Claims forms will also incorporate the FATCA clauses; add U.S. Telephone Number and/or Permanent Address. At the same time, some other changes will also be incorporated. Please refer to Appendix III (List of POS/Claims Forms with changes) for details.

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3. Forms Delivery

Between 22 Apr 2014 to 28 Apr 2014, Corporate Services will be distributing 3 months stock of the revised Life and Accident Application forms (for Policy Prefix B, G, M & P) (version no. 0514), POS and Claims forms based on your office's average monthly consumption. The revised Accident & Health Application forms (for Policy Prefix P), POS and Claims form will also be available for download from the Company's website beginning 1 May 2014. Please use the revised Application, POS and Claims forms beginning 1 May 2014 onwards, otherwise your customers will be requested to re-sign the new forms.

Any orders placed for the above forms (new or old version) via the PSS System from 2 Apr 2014 to 15 Apr 2014 will be cancelled. All revised forms will be available for order via the PSS System starting 16 Apr 2014 up until 12:00PM on 29 Apr 2014 and the orders will be delivered between 7 May 2014 to 13 May 2014.

To ensure our agency forces are kept up to date on the latest forms, recycle bags will be distributed to agency offices to collect the unused forms. Please note the schedule below.

Distribution of five recycle bags to agency offices in Hong Kong	Collection of recycle bags
28 April 2014 – 2 May 2014	12 May 2014 – 23 May 2014

Should you have any enquiry regarding the collection of recycle bags, please send an email to hk.corpsvc-ps@aia.com or fax to 3118 9021.

Should you have any queries, please feel free to call our Operations Hotline at (852) 2232-8999 (Hong Kong) or (853) 8988-1833 (Macau) or visit our Operations Service Centers in AIA Hong Kong Tower, Manhattan Place or AIA Kowloon Tower or visit Operations Enquiry Counter in Macau for details.

Best regards,



Miranda Leung

Encl.

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