

NOTE: PLEASE REFER TO THIS DOCUMENT FOR INFORMATIONAL PURPOSES ONLY. ONCE YOU ARE STARTING THE APPLICATION PROCESS, YOU WILL BE ASKED TO DOCU SIGN THIS DOCUMENT WITHIN THE SECURE ONBOARDING PORTAL. DO NOT PRINT. DO NOT SIGN. DO NOT SEND VIA EMAIL.

## **Certification as to U.S. Person Status**

(CFR Part 240 Rule 15a-6 Compliance)

**Instructions: Initial EITHER Part A OR Part B  
below as applicable and sign where indicated**

### **PARTIES**

- (1) **Capital Markets Elite Group (Trinidad and Tobago) Limited**, a company incorporated under the laws of Trinidad and Tobago, with its registered office at 22-24 Albion Plaza, Victoria Avenue, Woodbrook, Port of Spain, Trinidad and Tobago W.I. with registered company number C2013070804456 (“**Capital Markets Elite Group**”); and
- (2) The undersigned potential customer (the “**Potential Customer**”).

### **WHEREAS:**

1. Capital Markets Elite Group’s services involve providing brokerage and dealing services in connection with investments including shares and share options, debentures, warrants, futures, exchange traded funds, units in collective investment schemes, contracts for differences and forex spot contracts.
2. Capital Markets Elite Group is authorized and regulated by the Trinidad and Tobago Securities and Exchange Commission in Trinidad and Tobago and has permission under the Securities Act 2012 to offer and provide its services to customers and counterparties.
3. Capital Markets Elite Group can only accept a U.S. Person (as defined on Attachment 1) as a customer if that U.S. Person has not been solicited either directly or indirectly through accessing our websites, social media, or otherwise, under the ‘unsolicited’ exemption of Rule 15a-6 of the U.S. Securities and Exchange Commission.

4. The Potential Customer wishes to engage some or all the services of Capital Markets Elite Group described in 1 above.

**PART A**

**[Initial here if applicable]** \_\_\_\_\_ The Potential Customer, **DOES HEREBY CERTIFY** that the Potential Customer is **NOT** a U.S. Person.

**Part B**

**-[Initial here if applicable]** \_\_\_\_\_ The Potential Customer, **DOES HEREBY CERTIFY** that:

(a) The Potential Customer was first made aware of Capital Markets Elite Group by a third-party source, not a Capital Markets Elite Group website, Capital Markets Elite Group social media, or a contact from Capital Markets Elite Group; (b) The Potential Customer has not been solicited either directly or indirectly through accessing these websites, social media, or otherwise by Capital Markets Elite Group; (c) The Potential Customer has approached Capital Markets Elite Group on the Potential Customer's own volition; and (d) The Potential Customer understands that if the Potential Customer establishes a relationship with Capital Markets Elite Group the Potential Customer will NOT be protected by U.S. laws, regulations and supervisory structures applicable to broker-dealers registered in the U.S., and the Potential Customer does not expect such protections to apply.

**Dated** .....

Signed:

\_\_\_\_\_  
Potential Customer

### **Attachment 1 to U.S. Person Certification**

**(1)** “U.S. person” means:

- (i)** Any natural person resident in the United States;
- (ii)** Any partnership or corporation organized or incorporated under the laws of the United States;
- (iii)** Any estate of which any executor or administrator is a U.S. person;
- (iv)** Any trust of which any trustee is a U.S. person;
- (v)** Any agency or branch of a foreign entity located in the United States;
- (vi)** Any non-discretionary account or similar account (other than an estate or trust) held by a dealer or other fiduciary for the benefit or account of a U.S. person;
- (vii)** Any discretionary account or similar account (other than an estate or trust) held by a dealer or other fiduciary organized, incorporated, or (if an individual) resident in the United States; and
- (viii)** Any partnership or corporation if:
  - (A)** Organized or incorporated under the laws of any foreign jurisdiction; and
  - (B)** Formed by a U.S. person principally for the purpose of investing in securities not registered under the U.S. Securities Act of 1933, unless it is organized or incorporated, and owned, by accredited investors (as defined in U.S. SEC Rule 501(a) who are not natural persons, estates or trusts.

**(2)** The following are not “U.S. persons”:

- (i)** Any discretionary account or similar account (other than an estate or trust) held for the benefit or account of a non-U.S. person by a dealer or other professional fiduciary organized, incorporated, or (if an individual) resident in the United States;
- (ii)** Any estate of which any professional fiduciary acting as executor or administrator is a U.S. person if:
  - (A)** An executor or administrator of the estate who is not a U.S. person has sole or shared investment discretion with respect to the assets of the estate; and
  - (B)** The estate is governed by foreign law;

- (iii)** Any trust of which any professional fiduciary acting as trustee is a U.S. person, if a trustee who is not a U.S. person has sole or shared investment discretion with respect to the trust assets, and no beneficiary of the trust (and no settlor if the trust is revocable) is a U.S. person;
- (iv)** An employee benefit plan established and administered in accordance with the law of a country other than the United States and customary practices and documentation of such country;
- (v)** Any agency or branch of a U.S. person located outside the United States if:
  - (A)** The agency or branch operates for valid business reasons; and
  - (B)** The agency or branch is engaged in the business of insurance or banking and is subject to substantive insurance or banking regulation, respectively, in the jurisdiction where located.