

Beneficial Ownership Requirements Overview

All non-exempt business clients of American National Bank will be required, due to a regulatory requirement, to provide us with certain information on its Beneficial Owners, Controlling Person and Certifying Person.

This information must be provided on American National Bank's Beneficial Owner Certification Form before a new account (deposit account, loan, safe deposit box, lease, commercial credit card) can be opened or a new service can be established.

What is this Certification?

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 ultimately own or control a legal entity (i.e., the beneficial owners) helps law enforcement investigate and prosecute these crimes.

Who has to complete this Certification?

This form must be completed and signed by the person authorized to open a new account on behalf of a legal entity (the Certifying Person*) with any bank or credit union.

What information do I have to provide?

This form requires you to provide the name, primary residence address, date of birth and Social Security Number (as applicable) as well as the name of the issuer and number of the driver's license or passport for the following individuals:

Beneficial Owner: The certification requires you to provide the name, address, date of birth, Social Security Number, and a primary identification document (Driver's License, State ID Card, Military ID, Passport) for each individual, if any, who owns, directly or indirectly, 25 percent or more equity interests of the entity.

AND

Controlling Person: 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), or other individual who regularly performs similar functions.

- If these individuals are not present at account opening, a photocopy of the presented driver's license or passport must also be provided.
- The number of individuals that satisfy this definition of "beneficial owner" may vary.
- Regardless of the number of individuals identified as beneficial owners, you must provide the identifying information of one individual identified as the "controlling person".
- It is possible that in some circumstances the same individual might be identified as both. For example, you may have a President who also holds a 30% equity interest in the company.

The Certifying Person, by signing the form will attest to the completeness and accuracy of the populated information. The Certifying Person will also be required to provide on the form his/her full name and title. Other information may be requested as part of the bank's standard account opening/maintenance processes.

What types of businesses are potentially exempt from these new requirements?

Business clients who fall into one of the categories below are generally exempt from these requirements.

1. Sole Proprietorships
2. Unincorporated Associations (such as youth sport leagues)
3. Regulated Domestic Financial Institutions, including their holding companies. A financial institution regulated by a federal functional regulator or a bank regulated by a state bank regulator.
4. U.S. & U.S. state government entities. A department or agency of the United States, or any State or of any political subdivision of a State – e.g. U.S. Department of the Treasury; State of Nebraska; City of Omaha.
5. U.S. publicly traded companies and subsidiaries (51% owned or greater) thereof - publicly traded companies. U.S. publically traded companies and subsidiaries that are majority owned by these publically traded companies, e.g. Alphabet Inc. and its wholly owned subsidiary Google Inc.
6. Securities and Exchange Commission (SEC) registered issuers of securities. An issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 or that is required to file reports under section 15(d) of that Act.
7. Exchanges and clearing agencies - as defined in section 3 of the Securities Exchange Act of 1934, that is registered under section 6 or 17A of that Act e.g. NY SE, NASDAQ.
8. Securities and Exchange Commission (SEC) registered investment companies - as defined in Section 3 of the Investment Company Act of 1940 that is registered with the SEC under that Act.
9. Securities and Exchange Commission (SEC) registered investment advisers - as defined in section 202(a)(11) of the Investment Advisers Act of 1940, that is registered with the SEC under that Act.
10. CFTC-registered entities. A registered entity, commodity pool operator, commodity trading advisor, retail foreign exchange dealer, swap dealer, or major swap participant, each as defined in section 1a of the Commodity Exchange Act that is registered with the CFTC.
11. Public accounting firms registered under section 102 of the Sarbanes-Oxley Act.
12. Trusts (non-statutory business trust). The exclusion would generally cover non-statutory, i.e., created by contract, trusts. e.g. Irrevocable trusts, generation skipping trusts, life insurance trusts; etc.
13. Estates
14. US State registered insurance companies – e.g. State Farm; Geico; Blue Cross/Blue Shield
15. Entity registered with the SEC - entity registered with the SEC under the Securities and Exchange Act of 1934.
16. Financial Market Utility - A financial market utility designated by the Financial Stability Oversight Council under Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010.
17. Non-US government agency engaged in US government activities only (non-commercial), e.g. Federal Reserve Board.
18. Pooled investment vehicle operated or advised by a regulated domestic financial institution

For more information related to this new regulatory requirement, you may contact your banking representative or [click here](#).