

## Economic Substance Notification under BVI Economic Substance (Companies and Limited Partnerships) Act (as revised).

**Instructions:** Complete this form if the entity is a Legal Entity that is engaged in a Relevant Activity and the entity is tax resident in a jurisdiction outside the British Virgin Islands. Refer to the [BVI Economic Substance Webpage](#) for more information.

A Legal Entity will be treated as carrying on a Relevant Activity during any ES financial period in which it receives income from that activity.<sup>1</sup> If the Named Entity will not be carrying on a Relevant Activity during the current [ES Financial Period](#), please complete [Form One](#).

Complete this form using Adobe Acrobat. The form does not need to be signed. Send the completed form to [regulationbvi@campbellslegal.com](mailto:regulationbvi@campbellslegal.com)

If any of the information set out below changes, you should notify Campbells within 21 days of the change by email to [regulationbvi@campbellslegal.com](mailto:regulationbvi@campbellslegal.com)

Name of the Entity (the "Named Entity"):	
Entity Reference Number: (You will find this number in the email from Campbells)	
Named Entity <a href="#">financial year</a> end: (dd/mm)	
Named Entity has made and confirmed with ITA a change to the ES Financial Period. (You will find this information in the email from Campbells)	Yes  No
Named Entity <a href="#">ES Financial Period</a> Start Date: (dd/mm/yyyy) (You will find this date in the email from Campbells)	6a
Named Entity <a href="#">ES Financial Period</a> End Date: (dd/mm/yyyy) (You will find this date in the email from Campbells)	6b
Named Entity <a href="#">ES Financial Period</a> End Date: (dd/mm/yyyy) (You will find this date in the email from Campbells)	6c
<b>Named Entity Details</b>	
Named Entity Tax Payer Identification Number (TIN) (check NOTIN if the Named Entity has no TIN)	TIN: _____  NOTIN
Gross total annual income of the Named Entity	6g
Reporting currency: (Use Currency Code found <a href="#">here</a> )	6g
Amount (If the Named Entity had no income during the ES Financial Period, enter 0)	6g
The Named Entity's business office in the BVI is the same as its Registered Agent?  If No, please provide the Named Entity's address in the BVI below.	Yes  No
Address Line 1:	6h.1
Address Line 2:	
Address Line 3:	

<sup>1</sup> Rule One, [Rules on Economic Substance in the Virgin Islands](#), Update(v3) 23 February 2023, page 4.

Is the Named Entity a constituent entity of a <b>MNE Group</b> for the purposes of the Country-by-Country reporting (CbCR) framework? 6i	Yes  No
Name Group: Name of MNE Group, if different from Entity name. 6i.1	
Does the Named Entity have an <b>Ultimate Parent</b> ?  If Yes, complete the Ultimate Parent questions in the fields below.  If the Named Entity has more than one Ultimate Parent, complete an <b>Addendum</b> . 6j	Yes  No
Ultimate Parent– Ultimate Parent Name: 6j.1	
Ultimate Parent– Ultimate Parent Alternative Name: (optional) 6j.2	
Ultimate Parent– Ultimate Parent’s Jurisdiction of Formation/Incorporation: (Use ISO Alpha-3 Country Code found <a href="#">here</a> ) 6j.3	
Ultimate Parent Entity – Ultimate Parent’s Formation/Incorporation Number: 6j.4	
Ultimate Parent – Ultimate Parent’s Tax ID Number or equivalent: 6i.5	
Does the Named Entity have an <b>Immediate Parent</b> ?  If Yes, complete the Immediate Parent questions in the fields below.  If the Named Entity has more than one Immediate Parent, complete an <b>Addendum</b> . 6k	Yes  No
How many Immediate Parents does the Entity have? 6k.1	
Immediate Parent Name: 6k.2	
Immediate Parent Alternative Name: (optional) 6k.3	
Immediate Parent’s Jurisdiction of Formation/Incorporation: (Use ISO Alpha-3 Country Code found <a href="#">here</a> ) 6k.4	
Immediate Parent’s Formation/Incorporation Number: 6k.5	
Immediate Parent’s Tax ID Number or equivalent: 6k.6	
<b>Relevant Activity</b> (check below): (If more than one Relevant Activity is applicable, complete a separate Form Two(N) for each Relevant Activity): 7	
<b>Banking Business</b> <b>Insurance Business</b> <b>Fund Management Business</b> <b>Finance and Leasing Business</b> <b>Shipping Business</b> 7a	<b>Headquarters Business</b> <b>Distribution and Service Centre Business</b> <b>Holding Business</b> <b>Intellectual Property Business</b>
<b>Income from Relevant Activity</b> A legal entity will be treated as carrying on a Relevant Activity during any financial period in which it receives income from that activity.	

<p>The Named Entity will receive income from the Relevant Activity indicated above during the current <a href="#">ES Financial Period</a>.</p>	<p>Yes</p> <p>No. The Named Entity does not meet the definition of a Legal Entity engaged in a Relevant Activity for the current ES Financial Period. Complete <a href="#">Form One</a>.</p>
<p>If the Relevant Activity checked above is <b>Holding Business</b>, complete the highlighted row below.</p>	
<p>The Named Entity is a legal entity that only holds equity participations in other entities AND only earns dividends and capital gains.</p>	<p>Yes</p> <p>No Contact your Campbells attorney.</p>
<p>Was the Relevant Activity carried on for only part of the ES Financial Period?</p> <p>If Yes, insert the Relevant Activity start date and Relevant Activity end date in the fields below.</p>	<p>Yes</p> <p>No</p>
<p>Relevant Activity Start Date (dd/mm/yyyy) <span style="float: right;">7b</span></p>	<p>7c</p>
<p>Relevant Activity End Date (dd/mm/yyyy) <span style="float: right;">7d</span></p>	
<p><b>Tax Residency <span style="float: right;">8</span></b></p>	
<p>A Legal Entity whose only sources of income from relevant activities are subject to tax in a jurisdiction outside the BVI will be regarded as resident for tax purposes in that jurisdiction. A legal entity cannot be regarded as resident for tax purposes in a jurisdiction that does not have a corporate income tax system, including Anguilla, Bahamas, Bahrain, Barbados, Bermuda, Cayman Islands, Turks and Caicos Islands the United Arab Emirates. Where the Jurisdiction of tax residence is Guernsey, Jersey or Isle of Man, the procedure outline in <a href="#">ITA Rule 5A</a> applies. Where the jurisdiction is any other jurisdiction with a corporate income tax system (that is not on the list of <a href="#">non-cooperative</a> jurisdictions) then the evidence outlined in <a href="#">ITA Rule 3</a> applies. Proof of tax residency as prescribed by the applicable ITA rule must be included with this filing.</p>	
<p>Does the Named Entity intend to make a claim of tax residency outside the BVI under <a href="#">Rule 2</a>? <span style="float: right;">8a</span></p>	<p>Yes</p> <p>No This Form Two (R) should only be completed by a Named Entity who is engaged in a Relevant Activity and who is tax resident in a jurisdiction outside the BVI. Please review the <a href="#">decision tree</a> to determine the correct ES Notification form or contact your Campbells attorney.</p>
<p>Jurisdiction in which the entity is tax resident: (Use ISO Alpha-3 Country Code found <a href="#">here</a>) <span style="float: right;">8b</span></p>	
<p>Tax ID Number or equivalent: <span style="float: right;">8b.1</span></p>	
<p><b>Tax Residency Supporting Documents</b></p>	
<p>Evidence of non-residency or provisional treatment: (Select one below and attach supporting documents.) <span style="float: right;">8d</span></p>	
<p>Evidence of Tax Residency in another jurisdiction which meets <a href="#">ITA Rule 3</a> <span style="float: right;">8d.1</span></p>	<p>Attached</p>
<p>Application for provisional treatment as non-resident under <a href="#">ITA Rule 6</a> which meets conditions in <a href="#">ITA Rule 10</a> <span style="float: right;">8d.2</span></p>	<p>Attached</p>

Please provide any comments to support your Economic Substance Declaration: 10

**This Form Two (R) was completed by:**

Name:

Role:

Date:

**Please update your Campbells contact details:**

**Billing Contact(s) at the Named Entity:**

First Name	Last Name	Role	Telephone	Contact email

**Legal/Regulatory Contact(s) at the Named Entity:**

First Name	Last Name	Role	Telephone	Contact email