

Declaration of Eligibility for Benefits Under a Tax Treaty for a Hybrid Entity (NR303)

Use this form if you are a hybrid entity that is subject to Part XIII tax.

The payer may request a completed Form NR303 if the hybrid entity will receive a payment subject to Part XIII tax.

Note: If the hybrid entity is subject to tax as a corporation on its worldwide income in a treaty country, complete and submit Form NR301, Declaration of Eligibility for Benefits under a Tax Treaty for a Non-Resident Taxpayer instead.

Requesting a refund of Part XIII tax Complete Form NR303 (or equivalent information) and include it, along with Worksheet A, with Form NR7-R, Application for Refund of Part XIII Tax Withheld. Also include Form NR301, NR302, Declaration of Eligibility for Benefits under a Tax Treaty for a Partnership with Non-resident Partners or NR303 (or equivalent information) collected from each member/owner eligible for a reduced tax rate, along with Worksheet A.

Submitting a waiver request for amounts required to be withheld under Regulation 105 of the Income Tax Regulations If you are submitting Form R105, Regulation 105 Waiver Application, complete and include Form NR303 with the application, along with Worksheet B. In this case, it is not necessary to complete part 9 of Form R105.

Filing a tax return If the hybrid entity is filing a Canadian income tax return and claiming a deduction related to treaty benefits, include a completed Form NR303 with the return, along with Worksheet B.

Filing a request for a Certificate of Compliance If the hybrid entity is submitting a request for a Certificate of Compliance (Form T2062, Request by a Non-Resident of Canada for a Certificate of Compliance Related to the Disposition of Taxable Canadian Property or T2062A, Request by a Non-Resident of Canada for a Certificate of Compliance Related to the Disposition of Canadian Resource or Timber Resource Property, Canadian Real Property (Other Than Capital Property), or Depreciable Taxable Canadian Property), complete and include Form NR303 and Worksheet B. Refer to Instructions for more information.

1. Non-Resident Taxpayer Information

Enter legal name of hybrid entity. ▶	Legal Name of Hybrid Entity			
Enter mailing address. ▶	Address			
City	State/Province	Zip/Postal Code	Country	
Foreign Tax Identification Number				

2. Type of Hybrid Entity

Check one. Corporation Trust

Corporation's Business Number if available

Trust's Account Number if available

3. Applicable Treaty Benefit

Type of Income	Part XIII Effective Rate of Withholding (Worksheet A)	Treaty Exemption Percentage (Worksheet B)

Form continues on next page. ▶▶

4. Signature and Date *This form cannot be processed without signature and date.*

By signing below, you:

- Certify that the information given on this form and its attachments are correct and complete.
- Acknowledge that for any person (other than a partnership) deriving income through the hybrid entity whose entitlement to treaty benefits was included in the completion of this form, the hybrid entity has received a certified Form NR301 or NR303 (or equivalent information), as appropriate. In addition, for any partnership deriving income through the hybrid entity whose entitlement to treaty benefits was included in calculating the effective rate of withholding or treaty exemption percentage, the hybrid entity has received a Partnership Statement (as described in the instructions to this form).
- Agree to immediately notify Fidelity, or the partnership or hybrid entity through which you derive income and to whom you are submitting this form, of any changes to the information provided on this form.

Print Non-Resident Taxpayer or Authorized Person Name <i>First, M.I., Last</i>		Title
Signature of Non-Resident Taxpayer or Authorized Person		Date <i>MM - DD - YYYY</i>
SIGN ▶		▶

Expiry date – For Part XIII tax withholding purposes, this declaration expires when there is a change in the taxpayer's eligibility for treaty benefits or three years from the end of the calendar year in which this form is signed and dated, whichever is earlier.

Instructions

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Do not use this form:

- To support exemptions from tax under Article XXI of the Canada – U.S. tax treaty. You must apply to the CRA for a Letter of Exemption. Refer to guide T4016, *Exempt U.S. Organizations – Under Article XXI of the Canada – United States Tax Convention*.
- To support exemptions from Part XIII withholding tax that are provided for in the *Income Tax Act*, such as fully exempt interest as defined in subsection 212(3), arm's length interest payments that are not captured by paragraph 212(1)(b) and reductions of the Part XIII withholding tax on rental income when the non-resident makes an election under Section 216. You do not have to complete this form since the exemption or reduction is in the *Income Tax Act* rather than in one of Canada's tax treaties.

Business Profits and Disposition Gains

For exemptions pertaining to services provided in Canada, including those provided by artists and athletes who are exempt from tax under a tax treaty, see Rendering services in Canada at www.cra-arc.gc.ca/tx/nrdsdnts/cmmn/rndr/menu-eng.html or Film Advisory Services at www.cra-arc.gc.ca/tx/nrdsdnts/flm/menu-eng.html. These pages contain links to information for non-residents, including how to apply for a waiver of withholding tax. You may need to attach Form NR302 or NR303 to an application for a waiver in certain circumstances, such as when the applicant for the waiver is a partnership or hybrid entity. The payer of income for services provided in Canada must withhold tax on these payments unless the non-resident provides the payer with a copy of a tax waiver or reduction issued by the CRA for those services.

For exemptions pertaining to dispositions of taxable Canadian property, see Disposing of or acquiring certain Canadian property at www.cra-arc.gc.ca/nrdpositions. Vendors and purchasers will find information on filing forms T2062, T2062A, and T2062C on this page. Generally, the purchaser of taxable Canadian property has to withhold tax on the purchase price unless the vendor receives a Certificate of Compliance from the CRA, or other rules apply.

Instructions for the hybrid entity declaring benefits

Provide the entity's foreign tax identifier, if it has one.

Select the appropriate type of hybrid entity for Canadian tax purposes, and provide the Canadian tax identifier if it has one.

If you are a hybrid entity (see "Amounts derived through hybrid entities" below), use Form NR303 if you are considered "fiscally transparent" by the tax laws of a country that Canada has a tax treaty with and if that treaty contemplates extending treaty benefits to income derived through the entity to the residents of that country who have an interest in the entity (e.g., see paragraph 6 of Article IV of the Canada – U.S. tax treaty). A foreign entity that is taxed as a corporation on its worldwide income under the tax laws of the foreign country completes Form NR301.

Keep in your records Form NR301 or NR303, including their completed worksheets (or equivalent information) collected from each person who will derive income through the hybrid entity and is eligible for a reduced tax rate. Do not submit this supporting information to the payer.

For any partnership that derives income through the hybrid entity, the treaty rate and treaty exemption percentage amounts, entered in column F of Worksheets A and B respectively of Form NR303, will be the amounts that the partnership would represent on Form NR302 if all of its partners, other than those that reside in the U.S., resided

in a country that Canada does not have a tax treaty with. The hybrid entity will also keep in its records, for each partnership listed in Part I of Worksheet A or B, a statement by the partnership (referred to as the "Partnership Statement") of what information would be certified on the partnership's Form NR302, if such were the case.

Use Worksheet A to calculate the Part XIII effective rate of withholding tax based on the percentage allocation for each person and the corresponding rate of withholding. In general, Worksheet A will be limited to the calculation of the Part XIII withholding rate on interest, dividends, royalties, and trust income.

Use Worksheet B to calculate the total percent treaty exempt portion of business profits or disposition gains.

For the purposes of both worksheets, treaty benefits apply only to persons resident in the United States.

Use a separate worksheet for each income type when there is a difference in the effective rate of withholding or treaty exemption percentage.

During an audit or review, or while processing a related request, the CRA may ask the hybrid entity for more information to substantiate the tax treaty benefit. This information could include, among other things, Form NR301 or NR303 (or equivalent information) for each person and the partnership statement as described above for any person deriving income through the hybrid entity and whose entitlement to treaty benefits was included in the calculation of the effective rate of withholding or treaty exemption percentage.

The certification area of Forms NR301, NR302, and NR303 should be completed and signed by:

- the non-resident taxpayer in the case of an individual;
- an authorized officer in the case of a corporation;
- the trustee, executor, or administrator if the person filing the form is a trust;
- an authorized partner in the case of a partnership.

Change in circumstances

If a change in circumstances makes any information on the form incorrect, notify Fidelity (or the partnership or hybrid entity through which you derive income and to whom you are submitting this form) immediately and complete a new form.

Amounts derived through hybrid entities

A hybrid entity is in general a foreign entity (other than a partnership) whose income is taxed at the beneficiary, member, or participant level. For example, the United States resident members/owners of a Limited Liability Company (that is treated as a fiscally transparent entity under U.S. tax laws) may be entitled to treaty benefits if all the conditions in paragraph 6 of Article IV of the Canada – U.S. treaty are met. Under paragraph 6, an amount of income, profit or gain is considered to be derived by a resident of the United States if 1) the amount is derived by that person through an entity (other than an entity that is a resident of Canada, and 2) by reason of that entity being considered fiscally transparent under U.S. tax laws, the treatment of the amount under U.S. tax laws is the same as its treatment would be if that amount had been derived directly by that person. Paragraph 7 of Article IV contains additional restrictions on this look-through provision. Entities that are subject to tax, but whose tax may be relieved under an integrated system, are not considered hybrid entities.

Did you print and sign the form? Send the form to Fidelity.

Questions? Go to Fidelity.com or call 1-800-544-6666.

Use postage-paid envelope OR deliver to:

Regular mail
Fidelity Investments
PO Box 770001
Cincinnati, OH 45277-0002

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