

Criteria for Determination of Non-resident in Korea

Personal Information

Name	Korean			
	English 1)	Sir name _____ Given name _____		
Date of birth 1)		Resident registration No. 2)		
Passport Number 3)		Country of residence		
Address in country of residence	(Tel. : _____)			
Residence in Korea	(Tel. : _____)			
Are you a resident of Labuan, Malaysia? 4)	Yes / No	No. of days present in Korea 5)	Recent 1 yrs :	days
			Recent 2 yrs :	days

- 1) Please enter your English name and date of birth as they appear on your passport.
- 2) Please enter your resident registration number, domestic residence report number, alien registration number.
- 3) Please enter your passport number.
- 4) If your resident state is Labuan, Malaysia, mark "Yes" in the box. In this case, you are first withheld on your interest income at the 25% domestic interest tax rate. If you prove later that you are a resident of Labuan who are entitled to 15% reduced tax rate, you may claim back the amount you paid in excess of your due.
- 5) When you submit this Form at the time of subscription of financial instruments, go back one year and two years respectively from the subscription date and sum up the total number of days you stayed in Korea for the one year and the two-year periods. When you submit this Form for tax withholding adjustment for your interest income, go back one year and two years respectively from the date of receipt of interest, and sum up the number of days you stayed in Korea for the given one year and two-year periods.

Please check the appropriate box

	YES	NO
1. Do you maintain your domicile in Korea?		
2. Have you been in Korea for one year or more?		
3. Have you been in Korea for more than 365 days for the past 2 years?		
4. Has your family been in Korea for one year or more?		
5. Do you have an occupation that requires you to be present in Korea for one year or more?		
6. Are you a public official of the Republic of Korea?		
7. Are you a national of Korea who is assigned to an overseas branch or a sales office of a Korean corporation?		
8. In case where you are a permanent resident or a citizen of a country other than Korea, please enter the name of the country.		

Attachment: Certificate of Arrival and Departure, Certificate of Residence (issued as long as one year ago from the day you fill out this Form), a copy of passport

1. If my status changes from a non-resident to a resident during the transaction period, I will submit the revised Criteria for Determination of Non-resident in Korea. If my interest income and dividend income exceed 40 million won in a year, I will file and pay global income tax on those income.
2. If my total amount of subscription of financial instruments exceeds 100 million won per financial institution, I will submit the Criteria for Determination of Non-resident in Korea and relevant documents every three years from the date of subscription.
3. I certify that to the best of my knowledge and belief, all the information that I have provided is true and correct. I will take all the responsibilities if any disadvantages occur from false information on this Form.

Month Day Year

Signed by

Signature or Stamp

To : Financial institution(Withholding agent)

How to determine a resident or a non-resident

1. You should submit the Criteria for Determination of Non-resident in Korea at the time of subscription of financial instruments, and its maturity/cancellation.

If the total value of your investment per financial institution is 100 million won or more and it is 3 years or more until maturity, you should submit the Certificate of Arrival and Departure every three years from the third year of Subscription.

2. Determination of a resident or a non-resident is based on the Criteria for Determination of Non-resident in Korea, regardless of the holding of foreign nationality or the right of permanent residence.

However, you are regarded as a non-resident regardless of the information on this Form, if you are a diplomat in Korea, or a family member of a diplomat in Korea (except for Korean nationals), or members of the United States armed forces, or civilian components or their dependents.

3. If any line is marked as "Yes" from 1 through 7, you are regarded as a resident. (Note that even in this case, you may be regarded as a non-resident in some exceptional cases.)

4. If you are regarded as a non-resident, you should submit all the documents that prove your non-residency: the Certificate of Arrival and Departure, the Certificate of Residence. In cases where you fail to submit the evidentiary documents, you do not qualify for a reduced tax rate (tax rate applies according to the domestic income tax law and plus inhabitant tax). If you submit evidentiary documents later, you may adjust your due amount of withholding taxes by applying a reduced tax rate.

※ If your initial amount of financial investment is less than 100 million won per bank account (or per financial institution every three years from the third year of subscription and at the time of maturity or cancellation of your investment), you are not required to submit the Certificate of Arrival and Departure and Certificate of Residence.

5. At the time of subscription of financial instruments, the Certificate of Arrival and Departure should contain information for a period of 2 years or more retrospectively from the date of the subscription. However, when you are required to submit the Certificate in the three-year interval from the third year of subscription or at the time of maturity or cancellation of subscription, you should go back 2 years from the date of the first receipt of your financial income after the last time your residence was determined, and, for a period from that point and until the date of submission of this Form, the Certificate of Arrival and Departure should contain information.

6. If you are a dual resident under the Korean tax law and the tax law of the other state of your residence, the residence is determined by applying the following tests in order according to the treaty.

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|------------------|---|
| ① Permanent home | ② Location of center of vital interests |
| ③ Habitual abode | ④ Country of which a person has nationality,
citizenship or right of permanent residence |