



Customer Service Office
3900 Burgess Place
Bethlehem, PA 18017

- THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA
THE GUARDIAN INSURANCE & ANNUITY COMPANY, INC.
BERKSHIRE LIFE INSURANCE COMPANY OF AMERICA
(Please check appropriate company. In this form, "the Company" is the insurer checked above.)

TRUST CERTIFICATION

I. Policy Information - Proposed Insured(s)/Insured(s)

Policy Number(s)

LIFE ONE

LIFE TWO

1. Name First Middle Last 2. Name First Middle Last

2. Trust Information

1. Name of Trust

2. a) Name(s) of Trustee(s)

b) Nature of the relationship between the Grantor(s) and the Trustee(s)

c) Duration of the relationship

3. Tax Identification Number of Trust

Applied for (Check this box if you have applied for a number and are waiting for one to be issued. You have 60 days to submit a certified TIN in order to avoid backup withholding.)

4. Is this a Grantor Trust? Yes No

Please consult with a tax advisor to determine whether your Trust is a Grantor Trust (as described in Sections 671-679 of the Internal Revenue Code).

If 'Yes', please provide: Grantor's TIN or SSN: Grantor's Date of Birth: Month Day Year

5. Transaction requests must be authorized by (Select one.):

Any one Trustee All Trustees A majority of Trustees

6. Who are the current Beneficiaries of the Trust?

7. a) Effective Date of Trust Month Day Year b) Date Trust was signed/executed Month Day Year

c) Situs of Trust: The Trust is subject to the laws of the State of

8. Address of Trust Street No. & Name Suite No. City State Zip code

9. Did you retain an attorney to prepare the Trust document? Yes No (We will not contact the attorney without your written approval.)

If 'Yes', provide name and address of attorney. If 'No' provide name and address of person who provided Trust document.

Name of Attorney/Provider

Address of Attorney/Provider Street No. & Name Suite No. City State Zip code



### 3. Certification

The Trustee(s) declare and represent to the Company that the answers provided in this Trust Certification are accurate and complete and also certify, acknowledge and agree that:

- a) the Trust is:  Irrevocable and is in full force and in effect;  
 Revocable and is in full force and in effect;
- b) the Trustee(s) is/are allowed by the terms of the Trust to purchase Life Insurance and Securities (if applicable);
- c) the Trust permits the Trustee(s) to exercise all ownership rights provided by the Policy issued by the Company to the Trust, including but not limited to, the right to surrender, pledge or encumber the Policy or make withdrawals,
- d) and the Trustee(s) is/are permitted to distribute the Policy to any beneficiary of the Trust or to sell and transfer ownership of the Policy pursuant to the sale;
- e) neither the Company nor anyone acting as an agent of the Company is responsible to determine the authority of the Trustee(s) or inquire into, or review the provisions of the Trust, and shall not be charged with knowledge of the terms of the Trust;
- f) the Company may rely on the evidence submitted with respect to any change of the Trustee(s) and/or the appointment of a successor Trustee, and is not responsible to determine that the change or the appointment of any additional or successor Trustee(s) conforms with the Trust provisions;
- g) beneficial interests under the Trust can and will only be established for persons who (1) are related to the Proposed Life Insured(s) by blood or by law, (2) have a substantial interest in the Proposed Life Insured(s) engendered by love and affection, or (3) hold a lawful and substantial economic interest in the continued life of the Proposed Life Insured(s); and
- h) neither the Company nor its affiliates, employees, representatives, or agents have provided tax or legal advice and the Trustee(s) have had the opportunity to consult with their own tax and/or legal advisors regarding the preparation of the Trust Certification.

### 4. Tax Certification and Signatures

I agree the following certification applies unless I indicate in the box below that I am not a U.S. Entity. Under penalties of perjury I certify that:

- 1. The number shown on this form is my correct social security number or taxpayer identification number, and
- 2. I am not subject to backup withholding because:
  - a) I am exempt from backup withholding, or
  - b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or
  - c) the IRS has notified me that I am no longer subject to backup withholding, and
- 3. I am a U.S. citizen (including a U.S. Resident Alien) or domestic business entity, and
- 4. I am exempt from FATCA reporting\*

**Note: Check the box below if you are unable to certify to item #2 and have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return.**

- I am subject to backup withholding as a result of a failure to report all interest and dividends on my tax return.

\* Guardian requires FATCA (Foreign Account Tax Compliance Act) reporting only for certain non-U.S. payees that receive FATCA withholdable payments. You are not required to provide a FATCA exemption code.

If the Trust is any of the below, please indicate:

- A non-grantor trust created or organized under foreign law
- A grantor trust that is created or organized under foreign law
- A U.S. grantor trust and the grantor is a Non-Resident Alien individual

I have attached a completed IRS Form W-8BEN, W-8BEN-E or other W-8 appropriate for my status. Please obtain a current version of the form from [www.irs.gov](http://www.irs.gov). A foreign person is subject to U.S. tax on U.S. sourced income and a mandatory 30% withholding may apply (for tax treaty information and eligibility for a reduced rate, please see IRS Publication 515).

X

Signature of Trustee

Date

By signing below, you jointly and severally indemnify and hold the Company harmless from any liability for acting according to your instructions under the referenced Trust.

Guardian will rely on this certification and will not be liable for action taken including any tax reporting performed pursuant to and in reliance on the representations made on this form.

**The Internal Revenue Service does not require your consent to any provision of this document other than the tax certifications made in the W-9 Certification section above.**

Signed at \_\_\_\_\_  
City & State

X \_\_\_\_\_  
Signature of Trustee Date

X \_\_\_\_\_  
Signature of Trustee Date