

ISSUED 30 JUNE 2022

# Entity Account Holder Self-Certification Form

## Common Reporting Standard and Foreign Account Tax Compliance Act

### Legal obligations

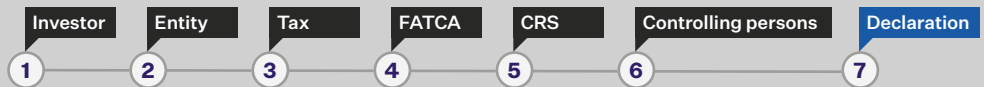
Under the Common Reporting Standard (CRS) and Foreign Account Tax Compliance Act (FATCA) we are required to collect certain information about an Account Holder's tax residence.

If you are a tax resident of a country other than Australia, we may be required to provide information collected in this form to the Australian Taxation Office (ATO). The ATO may exchange this information with the tax authorities of other jurisdictions.

Pendal is unable to provide tax advice in relation to your tax residency status and we suggest that you seek the advice of a tax adviser in answering specific questions in relation to this form.

### Read and complete all sections

- Use a **black** pen
- Print in clear CAPITAL letters
- Cross boxes where needed



#### 1.0 Investor

**New Investor** – provide account name

**Existing Investor** – provide Investor Number

#### 2.0 Entity details

An Entity is the organisation identified as the holder of a Financial Account. An Entity includes companies, trusts, partnerships, associations and cooperatives.

**Legal name of entity**

**Country of incorporation**

**Registered address (PO Box is not acceptable)**

STATE	COUNTRY	POSTCODE
<input type="text"/>	<input type="text"/>	<input type="text"/>

#### 2.1 Superannuation entity

Is the entity a Superannuation Entity as defined in the Superannuation Industry (Supervision) Act 1993?

**NO** – go to 3 ▶

**YES** – provide the ABN of the fund  
 Go to 7 ▶

Continued next page ▶

3.0 Tax residency

TIN stands for Taxpayer Identification Number. TINs are assigned by a jurisdiction to an entity to identify them for the purposes of administering tax laws.

If the entity is a tax resident of any additional foreign countries provide details as an attachment.

Is the entity a tax resident of any country other than Australia?

- NO - go to 4
YES - provide details below

Country of tax residency 1

[Text input field]

TIN

[Text input field]

If TIN unavailable select reason (see below)\*

- A B C - reason:

[Text input field]

Country of tax residency 2 (if applicable)

[Text input field]

TIN

[Text input field]

If TIN unavailable select reason (see below)\*

- A B C - reason:

[Text input field]

\*A - The country/jurisdiction does not issue TINs to its residents.
B - No TIN is required - select if the domestic law of the jurisdiction does not require a TIN.
C - The Account Holder is unable to obtain a TIN or equivalent - please explain the reason why.
Details of acceptable TINs can be found at the OECD automatic exchange of information portal.

4.0 FATCA classification

Is the United States entity classified as a Non-Specified U.S. Person?

- NO - go to 4.1
YES - provide your FATCA status

[Text input field] Go to 5

4.1 Financial Institution

Is the entity a Depository Institution, Custodial Institution, Specified Insurance Company or Investment Entity?

- NO - go to 4.2
YES - provide your Global Intermediary Identification Number (GIIN)

[GIIN input fields]

If the institution does not have a GIIN, nominate ONE reason below

- Non-Participating Foreign Financial Institution
Exempt Beneficial Owner
Deemed Compliant Foreign Financial Institution (other than above)

Go to 5

4.2 Non-Financial Foreign Entity

If the Entity is a Non-Financial Foreign Entity, nominate ONE of the classifications from A or B below

- A
An Active Non-Financial Foreign Entity (excluding U.S. companies), which is a
Non-Financial Listed Public Company
Non-Profit Entity
Government Entity
Other

Go to 5

- OR B
Passive Non-Financial Foreign Entity

Go to 5

5.0 Entity classification for CRS

Is the organisation a Financial Institution?

- YES - go to 5.1
NO - go to 5.2

5.1 Financial Institution

Nominate ONE of the classifications from A or B below

- A
Depository Institution, Custodian Institution or Specified Insurance Company
Investment Entity
Other

Go to 6

- OR B
Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution

Go to 6

5.2 Non-Financial Entity

If the entity is a non-financial entity (NFE), nominate ONE of the classifications from A or B below

- A**
- Active Non-Financial Entity which is
    - Regularly traded on an established securities market or a corporation which is a related entity of such a corporation
    - Government Entity
    - Central Bank
    - International Organisation
    - Other – Go to 6 ▶

- OR B**
- Passive Non-Financial Entity
- Go to 6 ▶

6.0 Controlling persons

If you selected option B from 4.2, 5.1 or 5.2, list the names of each Controlling Person below. Otherwise, go to 7 ▶

Each person listed below must complete a separate *Controlling Person Self-Certification Form*.

CONTROLLING PERSON 1

Given name  Last name

CONTROLLING PERSON 2

Given name  Last name

CONTROLLING PERSON 3

Given name  Last name

If there are more than 3 controlling persons, provide their details on a separate sheet with this form.

Go to 7 ▶

7.0 Declaration

Please read the Pental Privacy Policy before signing this form. It outlines how we may use, collect, disclose or access your personal information. Visit [pentalgroup.com/privacy](http://pentalgroup.com/privacy) or call us to obtain a copy.

By signing this form

- I confirm that I am authorised to provide this Self-Certification on behalf of the entity identified in Section 2 of this form.
- I have obtained the necessary consent and authorisation to allow disclosure and use of the information provided in this Self-Certification (including Section 6).
- I consent to Pental using information provided in this form for all investments in Pental funds currently held by the entity for the purpose of CRS/FATCA reporting obligations.
- I acknowledge and agree that the information in this form (including Section 6) may be provided to the ATO, who may exchange this information with taxation authorities in the relevant foreign jurisdiction(s).
- I will notify Pental of changes to any information (including Section 6) within 30 days of the change occurring and, where required, will provide Pental with a new Self-Certification Form (including Controlling Person Self-Certification Form(s), if required).
- I declare that all statements made in this form are, to the best of my/our knowledge and belief, correct and complete.

7.1 Signature 1

This Application Form will be considered incomplete unless each required signatory signs. If the entity is a trust/super fund and there are more than 2 trustees that must sign, provide them on a separate sheet

Signature

Given name

Last name

Date 

D	D	M	M	Y	Y	Y	Y
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Capacity

7.2 Signature 2

If there are more than 2 required signatories, attach a separate sheet showing each signatory's first and last name, role and signature.

Signature

Given name

Last name

Date 

D	D	M	M	Y	Y	Y	Y
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Capacity

THIS FORM IS NOW COMPLETE

How to submit this Form



Mail: Mainstream Fund Services Unit Registry GPO Box 4584 Sydney NSW 2001



Email: [pental@mainstreamgroup.com](mailto:pental@mainstreamgroup.com)

Investor type	Required signature(s)
Partners	2 partners
Company	1 sole director, or 2 directors; or 1 director + 1 secretary
Trust / Super Fund	Each individual acting as trustee; or company acting as trustee (as per company requirements above)
Association / Cooperative	Chairperson (president), secretary or treasurer; or member authorised to sign on behalf (if unincorporated association)
Agent under Power of Attorney	Individual acting as attorney; or company acting as attorney (as per company requirements above) If you are signing under Power of Attorney you must attach a <b>certified copy of the Power of Attorney</b> to this Application.

## 8.0 Explanatory notes

If you have any questions about your organisation's classification for CRS/FATCA, please contact your tax adviser, as these notes do not constitute tax advice.

Capitalised terms not defined in this form have the meanings set out in the Taxation Administration Act 1953 (Cth), the Agreement between the Government of Australia and the Government of the United States of America to Improve International Tax Compliance and to Implement FATCA and the U.S. Internal Revenue Code with respect to FATCA and the Taxation Administration Act 1953 (Cth) and the Common Reporting Standard set out in Part II.B of the Standard for Automatic Exchange of Financial Account Information in Tax Matter approved by the Council of the Organisation for Economic Co-Operation and Development on 15 July 2014 with respect to CRS.

## 8.1 FATCA AND CRS DEFINITIONS

**Account Holder**

The person listed or identified as the holder of a Financial Account by the Financial Institution that maintains the account. This is regardless of whether such person is a flow-through Entity. Thus, for example, if a trust or an estate is listed as the holder or owner of a Financial Account, the trust or estate is the Account Holder, rather than the trustee or the trust's owners or beneficiaries. Similarly, if a partnership is listed as the holder or owner of a Financial Account, the partnership is the Account Holder, rather than the partners in the partnership. A person, other than a Financial Institution, holding a Financial Account for the benefit or account of another person as agent, custodian, nominee, signatory, investment adviser, or intermediary, is not treated as holding the account, and such other person is treated as holding the account.

**Control**

Control over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest (typically on the basis of a certain percentage (e.g. 25%) in the Entity. Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the Entity will be the natural person(s) who exercises control of the Entity through other means. Where no natural person(s) is/are identified as exercising control of the Entity through ownership interests, the Controlling Person is deemed to be the natural person who holds the position of senior managing official.

**Controlling Person**

The term 'Controlling Person' means the natural person(s) who exercise control over an entity. In the case of a trust, such term means the settlor, the trustees, the protector (if any), the beneficiaries or class of beneficiaries, and any other natural person exercising ultimate effective control over the trust, and in the case of a legal arrangement other than a trust, such term means persons in equivalent or similar positions. The term 'Controlling Person' must be interpreted in a manner consistent with the Financial Action Task Force Recommendations. 'Control' over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest in the Entity. A 'control ownership interest' depends on the ownership structure of the legal person and is usually identified on the basis of a threshold applying a risk-based approach (e.g. any person(s) owning more than a certain percentage of the legal person, such as 25%). Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the Entity will be the natural person(s) who exercises control of the Entity through other means. Where no natural person(s) is identified as exercising control of the Entity, the Controlling Person(s) of the Entity will be the natural person(s) who holds the position of senior managing official.

## 8.2 FATCA KEY DEFINITIONS

**Active Non-Financial Foreign Entity**

Any Non-Financial Foreign Entity (NFFE) that meets one of the following criteria:

- Less than 50 per cent of the NFFE's gross income for the preceding calendar year or other appropriate reporting period is passive income and less than 50 per cent of the assets held by the NFFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;
- The stock of the NFFE is regularly traded on an established securities market or the NFFE is a Related Entity of an Entity, the stock of which is traded on an established securities market;
- The NFFE is organised in a US Territory and all of the owners of the payee are bona fide residents of that US Territory;
- The NFFE is a non-U.S. Government, a government of a U.S. Territory, an international organisation, a non-U.S. central bank of issue, or an entity wholly owned by one or more of the foregoing;
- Substantially all of the activities of the NFFE consist of holding (in whole or in part) the outstanding stock of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution. However the entity will not qualify as an

active NFFE if it functions (or holds itself out as to be) an investment fund, such as a private equity fund, venture capital fund, leveraged buyout fund or any investment vehicle whose purpose is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes. In these circumstances the entity will be a passive NFFE;

- The NFFE is not yet operating a business and has no prior operating history, but is investing capital into assets with the intent to operate a business other than that of a Financial Institution; provided that the NFFE shall not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFFE;
- The NFFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets, or is reorganising with the intent to continue or recommence operations in a business other than that of a Financial Institution;
- The NFFE primarily engages in financing and hedging transactions with, or for Related Entities that are not Financial Institutions, and does not provide financing or hedging services to any entity that is not a Related Entity, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution;
- The Entity is a Non-Profit Organisation; or
- The NFFE is an 'Expected NFFE' as defined for the purposes of FATCA.

#### **Financial Institution**

A Custodial Institution, a Depository Institution, an Investment Entity, or a Specified Insurance Company as defined for the purposes of FATCA.

#### **Non-Specified U.S. Person**

Any United States Entity which meets the following definitions:

- a) a corporation the stock of which is regularly traded on one or more established securities markets;
- b) any corporation that is a member of the same expanded affiliated group, as defined in section 1471(e)(2), as a corporation described in clause (i);
- c) the U.S. or any wholly owned agency or instrumentality thereof;
- d) any State of the U.S., any U.S. Territory, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality of any one or more of the foregoing;
- e) any organisation exempt from taxation under section 501(a) or an individual retirement plan as defined in section 7701(a)(37);
- f) any bank as defined in section 581;
- g) any real estate investment trust as defined in section 856;
- h) any regulated investment company as defined in section 851 or any Entity registered with the Securities Exchange Commission under the Investment Company Act of 1940 (15 USC. 80a-64);
- i) any common trust fund as defined in section 584(a);
- j) any trust that is exempt from tax under section 664(c) or that is described in section 4947(a)(1);
- k) a dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the U.S. or any State;
- l) a broker as defined in section 6045(c); or
- m) any tax exempt trust under a plan that is described in section 403(b) or section 457(g).

Unless otherwise stated, all section references are to the U.S. Internal Revenue Code.

#### **Passive Non-Financial Foreign Entity (Passive NFFE)**

Any non-U.S. Entity that is not an Active NFFE.

#### **Related Entity**

An entity is a Related Entity of another entity if either entity controls the other entity, or two entities are under common control. For this purpose control includes direct or indirect ownership of more than 50 per cent of the vote or value in an entity.

#### **United States Entity**

The term 'United States Entity' refers to an entity created in the U.S., established under the laws of the U.S. or a resident of the U.S. or U.S. Territory for tax purposes.

## **8.2 CRS KEY DEFINITIONS**

#### **Active NFE** (see also definition for NFE)

An entity will be classified as an Active NFE if it meets any of the following criteria:

- a) less than 50% of the NFE's gross income for the preceding calendar year or other appropriate reporting period is passive income and less than 50% of the assets held by the NFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;
- b) the stock of the NFE is regularly traded on an established securities market or the NFE is a Related Entity of an Entity the stock of which is regularly traded on an established securities market;
- c) the NFE is a Governmental Entity, an International Organisation, a Central Bank, or an Entity wholly owned by one or more of the foregoing;
- d) substantially all of the activities of the NFE consist of holding (in whole or in part) the outstanding stock of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution, except that an Entity does not qualify for this status if the Entity functions (or holds itself out) as an investment fund, such as a private equity

fund, venture capital fund, leveraged buyout fund, or any investment vehicle whose purpose is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes;

- e) the NFE is not yet operating a business and has no prior operating history, (a 'start-up NFE') but is investing capital into assets with the intent to operate a business other than that of a Financial Institution, provided that the NFE does not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFE;
- f) the NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganising with the intent to continue or recommence operations in a business other than that of a Financial Institution;;
- g) the NFE primarily engages in financing and hedging transactions with, or for, Related Entities that are not Financial Institutions, and does not provide financing or hedging services to any Entity that is not a Related Entity, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution; or
- h) the NFE meets all of the following requirements (a 'non-profit NFE'):
  - i) it is established and operated in its jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in its jurisdiction of residence and it is a professional organisation, business league, chamber of commerce, labour organisation, agricultural or horticultural organisation, civic league or an organisation operated exclusively for the promotion of social welfare;
  - ii) it is exempt from income tax in its jurisdiction of residence;
  - iii) it has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
  - iv) the applicable laws of the NFE's jurisdiction of residence or the NFE's formation documents do not permit any income or assets of the NFE to be distributed to, or applied for the benefit of, a private person or non-charitable Entity other than pursuant to the conduct of the NFE's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the NFE has purchased; and
  - v) the applicable laws of the NFE's jurisdiction of residence or the NFE's formation documents require that, upon the NFE's liquidation or dissolution, all of its assets be distributed to a Governmental Entity or other non-profit organisation, or escheat to the government of the NFE's jurisdiction of residence or any political subdivision.

#### **Custodial Institution**

Any Entity that holds, as a substantial portion of its business, Financial Assets for the account of others. This is where the Entity's gross income attributable to the holding of Financial Assets and related financial services equals or exceeds 20% of the Entity's gross income during the shorter of: (i) the three-year period that ends on 31 December (or the final day of a non-calendar year accounting period) prior to the year in which the determination is being made; or (ii) the period during which the Entity has been in existence.

#### **Depository Institution**

Any Entity that accepts deposits in the ordinary course of a banking or similar business.

#### **Financial Institution**

A 'Custodial Institution', a 'Depository Institution', an 'Investment Entity', or a 'Specified Insurance Company'. See relevant domestic guidance and CRS for further classification definitions that apply to Financial Institutions.

#### **Investment Entity**

The term 'Investment Entity' includes two types of Entities.

- (i) An Entity that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer
  - trading in money market instruments (cheques, bills, certificates of deposit, derivatives, etc.); foreign exchange; exchange, interest rate and index instruments; transferable securities; or commodity futures trading;
  - individual and collective portfolio management; or
  - otherwise investing, administering, or managing Financial Assets or money on behalf of other persons. Such activities or operations do not include rendering non-binding investment advice to a customer.
- (ii) The second type of 'Investment Entity' ('Investment Entity managed by another Financial Institution') is any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets where the Entity is managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity.

#### **Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution**

Any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets if the Entity is:

- (i) managed by a Financial Institution; and
- (ii) not a Participating Jurisdiction Financial Institution.

**Investment Entity managed by another Financial Institution**

An Entity is 'managed by' another Entity if the managing Entity performs, either directly or through another service provider on behalf of the managed Entity, any of the activities or operations described in clause (i) above in the definition of 'Investment Entity'. An Entity only manages another Entity if it has discretionary authority to manage the other Entity's assets (either in whole or part).

**NFE**

Any Entity that is not a Financial Institution.

**Non-Reporting Financial Institution**

Any Financial Institution that is

- a Governmental Entity, International Organisation or Central Bank, other than with respect to a payment that is derived from an obligation held in connection with a commercial financial activity of a type engaged in by a Specified Insurance Company, Custodial Institution, or Depository Institution;
- a Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Governmental Entity, International Organisation or Central Bank; or a Qualified Credit Card Issuer;
- an Exempt Collective Investment Vehicle; or
- a Trustee-Documented Trust: a trust where the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported with respect to all Reportable Accounts of the trust;
- any other defined in a country's domestic law as a Non-Reporting Financial Institution.

**Participating Jurisdiction**

A jurisdiction with which an agreement is in place pursuant to which it will provide the information required on the automatic exchange of financial account information set out in the Common Reporting Standard and that is identified in a published list.

**Participating Jurisdiction Financial Institution**

- Any financial Institution that is tax resident in a Participating Jurisdiction, but excludes any branch of that Financial Institution that is located outside of that jurisdiction, and
- Any branch of a Financial Institution that is not tax resident in a Participating Jurisdiction, if that branch is located in such Participating Jurisdiction.

**Passive NFE**

Any NFE that is not an Active NFE. An Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution is also treated as a Passive NFE for purposes of the CRS.

**Related Entity**

An Entity is a 'Related Entity' of another Entity if either Entity controls the other Entity, or the two Entities are under common control. For this purpose control includes direct or indirect ownership of more than 50% of the vote and value in an Entity.

**Reportable Account**

An account held by one or more Reportable Persons or by a Passive NFE with one or more Controlling Persons that is a Reportable Person.

**Reportable Jurisdiction**

A jurisdiction with which an obligation to provide financial account information is in place and that is identified in a published list.

**Reportable Jurisdiction Person**

Any individual or Entity that is tax resident in a Reportable Jurisdiction(s) under the tax laws of such jurisdiction(s). An Entity such as a partnership, limited liability partnership or similar legal arrangement that has no residence for tax purposes shall be treated as resident in the jurisdiction in which its place of effective management is situated. As such if an Entity certifies that it has no residence for tax purposes it should complete the form stating the address of its principal office. Dual resident Entities may rely on the tiebreaker rules contained in tax conventions (if applicable) to determine their residence for tax purposes.

**Reportable Person**

A 'Reportable Jurisdiction Person', other than

- a corporation the stock of which is regularly traded on one or more established securities markets;
- any corporation that is a Related Entity of a corporation described in clause (i);
- a Governmental Entity;
- an International Organisation;
- a Central Bank; or
- a Financial Institution (except for an Investment Entity described in Sub Paragraph A(6) b) of the CRS that are not Participating Jurisdiction Financial Institutions. Instead, such Investment Entities are treated as Passive NFE's.)

**Specified Insurance Company**

Any Entity that is an insurance company (or the holding company of an insurance company) that issues, or is obligated to make payments with respect to, a Cash Value Insurance Contract or an Annuity Contract.