

## **Account Opening Form**

### **KBI Funds ICAV**

**(the “ICAV”)**

### **A UCITS**

#### **IMPORTANT**

**INVESTORS SHOULD ENSURE THAT THE ORIGINAL ACCOUNT OPENING FORM IS RETURNED BY POST TO THE ADMINISTRATOR AT THE ADDRESS BELOW. FAILURE TO RETURN THE ORIGINAL ACCOUNT OPENING FORM AND SUPPORTING DOCUMENTATION WILL DELAY THE PAYMENT OF REDEMPTION PROCEEDS (AND DIVIDENDS/DISTRIBUTIONS IF APPLICABLE).**

**INVESTORS SHOULD ENSURE THE SECTION HEADED “SIGNATURES” HAS BEEN SIGNED BEFORE RETURNING THIS FORM TO THE ADMINISTRATOR.**

**A FUND ORDER FORM ALSO NEEDS TO BE COMPLETED AND SENT TO THE ADMINISTRATOR IN ORDER FOR SUBSCRIPTIONS / REDEMPTIONS TO BE PROCESSED.**

#### **ADMINISTRATOR**

**Northern Trust International Fund Administration Services (Ireland) Limited**

**City East Plaza - Block A,**

**Towlerton, Ballysimon Road,**

**Limerick, V94 X2N9**

**Ireland**

**Telephone: +353 1 434 5121**

**Facsimile: +353 1 434 5253**

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**Please note Important Information below before completing the Account Opening Form:**

- Please ensure that you have read the Prospectus and the Key Investor Information Document (the “KIID”) before completing this Account Opening Form. The KIID is available by clicking the KIID related link on the homepage of the Investment Manager’s website [www.kbiglobalinvestors.com](http://www.kbiglobalinvestors.com).
- For any KIID related queries please contact the Distributor, KBI Global Investors Ltd at +353 1 438 4400.
- Defined terms used in this Account Opening Form are those used in the Prospectus (unless the context otherwise requires).
- Your personal information will be handled in accordance with the ICAV’s Data Protection Notice as provided at Appendix 7 to this Account Opening Form and in accordance with the Irish Data Protection Acts 1988 to 2018 as may be amended from time to time and the General Data Protection Regulation (EU) 2016/679 (“GDPR”) as may be amended from time to time (the Irish Data Protection Acts 1988 and 2018, and the GDPR are referred to collectively as the “Data Protection Legislation”) . Your information provided herein will be processed for the purposes of complying with Data Protection Legislation and this may include disclosure to the Irish Revenue Commissioners.
- This Account Opening Form (incorporating the Money Laundering Verification Requirements and the Declaration of Residence) constitutes a request to open an investor account in the ICAV.
- In order to subscribe for shares in the ICAV a separate Fund Order Form will also need to be completed. A completed Fund Order Form constitutes your agreement to subscribe for shares in the ICAV.
- You should post or fax the Account Opening Form and Fund Order Form, along with any supporting documentation required, to the Administrator at the address on the cover page.
- If you are sending information by fax then the original Account Opening Form, Fund Order Form and supporting documentation must also be posted to the Administrator.
- Please complete this Form in blue or black ink using BLOCK CAPITALS.

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## Investor Details

NAME FOR REGISTRATION (BLOCK CAPITALS)

First Name & Family Name / Company Name:

Address:

*Country of Incorporation:*

Mailing address (only if different to above):

Contact Telephone Number

Contact Fax Number

Email addresses to be registered on account:

Email addresses:

To receive following information:

- Statements
- Contract Notes (subscriptions / redemptions / transfers)
- Distribution Vouchers
- All documents

## Banking Details

**THIS SECTION MUST BE COMPLETED BY ALL APPLICANTS**

BANK ACCOUNT DETAILS FOR SETTLEMENT OF REDEMPTION AND  
DIVIDEND/DISTRIBUTION PROCEEDS IF APPLICABLE

Name of Bank	
Address of Bank	
A/c Name	
A/c Number	
Sort Code	
IBAN:	
Swift Code	

**Please note:**

- No third party payments will be undertaken.
- A request to change bank account details **must be made in writing to the Administrator** and authorised by at least two signatories to your KBI Funds ICAV account and must be accompanied by a bank statement or banker's reference.

## Return of Values (Investment Undertakings) Regulations 2013<sup>1</sup>

The ICAV must collect additional information in order to satisfy Return of Values (Investment Undertakings) Regulations 2013 (S.I. 245 of 2013) (the "Regulations"). Therefore any applicants<sup>2</sup> which are Irish Resident and which are **NOT** included in the list of **Excluded Investors** below must provide the following additional information:

<b>Tax Identification Number (TIN) / PPS Number</b>	
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### Excluded Investors

- Pension schemes
- Companies carrying on a life assurance business
- Another investment undertaking
- An investment limited partnership
- Special investment schemes
- Certain unit trusts
- Charities
- Qualifying management companies
- ARFs, AMRFs
- PRSA providers
- Credit unions
- Companies (where the investment undertaking is a money market fund)
- NAMA
- The National Pensions Reserve Fund
- Securitisation vehicles
- Non-Irish resident investors
- All investors in funds whose units are held in a recognised clearing system.

**If applicable, any *one* of the following additional documents is required to verify the TIN or PPS Number (either a copy or the original is sufficient)**

P60  
 P45  
 P21 Balancing Statement  
 Payslip (where employer is identified by name or tax number)  
 Drug Payment Scheme Card  
 European Health Insurance Card  
 Tax Assessment  
 Tax Return Form  
 PAYE Notice of Tax Credits  
 Child Benefit Award Letter /Book  
 Pension Book  
 Social Services Card  
 Public Services Card

<sup>1</sup> Only for Irish IUTs.

<sup>2</sup> Where an applicant is an intermediary and that applicant is the registered unit holder, reporting obligations under the regulations may be carried out on the basis that the applicant is the unit holder. For these purposes, intermediary has the same meaning as in s739B(1) TCA 1997.

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**In addition, any printed documentation issued by the Irish Revenue Commissioners or by the Department of Social Protection which contain your name, address and tax reference number will also be acceptable. In the case of joint account holders, the additional documentation is required for each applicant.**

*Your personal information will be handled in accordance with the ICAV's Data Protection Notice as provided at Appendix 7 to this Account Opening Form. Your information provided herein will be processed for the purposes of complying with the Regulations and this may include disclosure to the Irish Revenue Commissioners.*

## Anti-Money Laundering Documentation Requirements

In accordance with The Criminal Justice (Money Laundering and Terrorist Financing) Act, 2010, as amended

**Please read the following guide to help you with completing this part of the Form:**

For **Individual & Joint Account** investors investing directly into the ICAV i.e. not through an intermediary, please complete:

- Section 1
- Section 2
- Section 3 (only if EU resident(s) not residing in Ireland)

**Please note in the case of *Joint Account investors*, documentation is required for *each applicant*.**

For a **Designated Body** (see definition below) acting on their own account please complete:

- Section 1
- Section 4

For a **Designated Body** (see definition below) acting as an intermediary or nominee for other investors please complete:

- Section 1
- Section 5

For an **unregulated Nominee Company** 100% owned by a Designated Body (see definition below) and acting as an intermediary or nominee for other investors please complete:

- Section 1
- Section 6

For a **Pension Scheme, Charity, Listed Company, Private & Unlisted Company, Partnership, Limited Liability Company, Collective Investment Schemes, Trust, Foundation, Public Body, Club, Society, School, College or University** investing directly into the ICAV please complete:

- Section 1
- Section 7

**Definitions:**

**“Designated Body”**: A Bank, Financial Services provider or Nominee Company that is authorised and regulated in a prescribed country.

**“Prescribed Country”**: A jurisdiction assessed by the Administrator to operate comparable Anti Money Laundering (AML) and Combat Financing of Terrorism (CTF) controls, listed as follows: European Union (**see below**), Australia, Canada, Channel Islands, Hong Kong, Iceland, Ireland, Isle of Man, Japan, Norway, Singapore, South Africa, South Korea, Sweden, Switzerland and the USA. **European Union** countries are defined as: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, & United Kingdom.

**Please note:**

The ICAV and/or the Administrator reserves the right to request such information as is necessary to verify the identity of an applicant, the source of their subscription monies and, where applicable, the beneficial owner and as part of the ongoing monitoring of the business relationship. In the event of delay or failure by the applicant to produce any information required for verification purposes, the ICAV and/or the Administrator may:

1. refuse to accept orders as requested in the Fund Order Form and return all subscription monies
2. compulsorily redeem Shareholder's shares
3. delay the payment of redemption proceeds

None of the ICAV, the Depositary, the Investment Manager or the Administrator shall be liable to the subscriber or Shareholder where an application for Shares is not processed or Shares are compulsorily redeemed in such circumstances



## Section 1 – ALL investors

Full name(s) and full current permanent address/registered office of applicants(s)/transferee(s):

Mr/Mrs/Ms/Company Name	
Address/Registered Office:	
Date of Birth (if applicable):	
Country of Birth/Registration	
DECLARATION – I / We declare that the information contained in this form and the attached documentation, if any, is true and accurate to the best of my/our knowledge and belief.	
Date:	

Signed	Signatory Capacity if applicable (i.e. director/manager)
1	
2	
3	
4	

**Please note:**

In the case of joint holders **ALL** holders must complete this declaration.

## Section 2 - Individuals and Joint Account Holders investing directly into the ICAV

If you, as applicant(s) or transferee(s) is/are an Individual(s) please supply the following documents.  
In the case of joint account holders, please supply the relevant documentation in respect of all holders.

Original or certified copy photographic identity document (such as a current passport or national identification card) and proof of address for each investor (not greater than 6 months old). Examples of proof of address include copies of bank statements, utility bills and tax notification.

**Please note:** the ICAV or the Administrator may require further documentation to be provided upon written request.

## Section 3 – Individual and Joint Investors who are EU Residents but living outside of Ireland

**EU SAVINGS DIRECTIVE 2003/48/EC – to be completed if an EU Resident is residing outside of Ireland.** As paying agent for the ICAV, we must collect additional information in order to satisfy the EU Savings Directive requirements. Therefore, individuals who are EU residents and reside outside of Ireland must provide the following additional information & documentation:

**Tax Identification Number (TIN)** \_\_\_\_\_ (mandatory)

**Please leave blank** if your tax identification number **does not** appear on your passport, photo identity card or other proof of identity provided.

**Issuing Country of your Passport / Photo Identity Card** \_\_\_\_\_

**Additional documents required (only if investing directly in your own or joint names i.e. whether or not it is via an intermediary):**

1. **Proof of Tax Identification Number (TIN)** if available (e.g. photo identity card which shows the tax identification number or correspondence from your local tax office)
2. **Tax Residency Certificate (TRC)** (where the place of issuing country of passport differs from country of tax residence)

**Please note:** in the case of joint account holders, the additional documentation is required for each applicant.

#### Section 4 – Designated Body acting on its own account

Please tick the following box, if appropriate:

I/We are a bank/provider of financial services or a nominee company/nominee account which is part of/used by a bank/provider of financial services authorised and regulated in the European Union (**see below**), Australia, Canada, Channel Islands, Hong Kong, Iceland, Ireland, Isle of Man, Japan, Norway, Singapore, South Africa, South Korea, Sweden, Switzerland and the USA acting for our own account. **European Union** countries are defined as: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, & United Kingdom

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If answer is Yes, please supply the name of regulated entity and also the name of your regulator and a copy of authorised signatory list:

**Note: If you are a Designated body acting on behalf of a third party you must complete Section 5 instead**

#### Section 5 - Designated Body acting as an intermediary or nominee for other investors

If a Designated Body is acting as intermediary or nominee for investors please supply:

1. Standard reliance letter completed and signed by the Designated Body on their company headed paper. Please see Appendix 1.
2. Copy of Designated Body's Authorised Signatory List.
3. Proof of regulatory status.

#### Section 6 – Nominee Company (unregulated), owned by a Designated Body, acting as an intermediary or nominee for other investors

If an unregulated Nominee Company (unregulated) is acting as intermediary or nominee for investors and the Nominee Company is 100% owned by a Designated Body please supply;

1. Standard reliance letter completed and signed by the Designated Body on their company headed paper. Please see Appendix 2.
2. Copy of Designated Body's Authorised Signatory List.
3. Documentation in accordance with the legal form of the Nominee Company.
4. Proof of regulatory status

## Section 7 – Other Investors (Standard Customer Due Diligence)

**If you, as applicant or transferee, fall under one of the investor categories outlined below please provide documents evidencing the requested information.**

**Please Note:** the ICAV or the Administrator may require further documentation to be provided upon written request.

### **Pension Scheme**

1. Full name.
2. Registered office address.
3. Authorised signatory list.
4. Confirmation of registration (as appropriate) from the relevant tax authorities or pension's board or items 5 to 7 below.
5. Names of Trustees/Directors/ Governors /Board Members or equivalent.
6. Constitutional/Formation Document (e.g. Trust Deed).
7. Verification of the identity of two controllers as per Individual Investor in Section 2 above.

### **Charity**

Extract from the relevant Charities Register e.g. UK Charities Commission, Nature/Purpose including the nature of the funding, Principal business address, Revenue Approval Number and Authorised Signatory List or 1- 9 below.

1. Full name.
2. Nature/purpose including the nature of the funding.
3. Registered office address.
4. Principal business address.
5. Authorised signatory list.
6. Details of Trustees/Directors/ Governors/Board Members or equivalent.
7. Verification of identity of two Trustees / Directors/Governors/Board Members or one Trustee/ Director/Governor/ Board Member and one authorised signatory as per Individual Investor in Section 2 above.
8. Details of beneficiaries (where ascertainable).
9. Constitutional/Formation Document.

### **Listed Company**

For a Listed Company in a jurisdiction assessed by the Administrator to operate comparable AML/CTF controls, Proof of Listing on a recognised stock exchange in such comparable jurisdiction and Authorised Signatory List. Otherwise see 1- 10 below.

1. Proof of listing.
2. Full name.
3. Registered number.
4. Registered office address.
5. Principal business address.
6. Details of Directors.
7. Proof of identity of two Directors or one Director and one authorised signatory as per Individual Investor in Section 2 above.
8. Details of any beneficial owners who own more than 25% of the share capital, profit or voting rights or otherwise exercise control over the management of the company. Where the beneficial owner is a corporate entity, the Administrator requires details of ultimate owners (this can be demonstrated through an organisation chart signed by an authorised signatory or shareholder register or other company documentation etc).

9. Verification of identity from:
  - Search of the relevant company registry or Copy of Certificate of incorporation or equivalent; and
  - Copy of Memorandum and Articles of Association or equivalent; and/or
  - Copy of latest audited financial statements.
10. Authorised signatory list.

### **Private and Unlisted Company**

1. Full name.
2. Registered number.
3. Registered office address.
4. Principal business address.
5. Details of directors.
6. Proof of identity of two directors or one director and one authorised signatory as per Individual Investor in Section 2 above.
7. Details of beneficial owners who own more than 25% of the share capital, profit or voting rights or otherwise exercise control over the management of the company. Where the beneficial owner is a corporate entity, the Administrator requires details of ultimate owners (this can be demonstrated through an organisation chart signed by an authorised signatory or shareholder register or other company documentation etc).
8. Verification of identity from
  - Search of the relevant company registry or Copy of Certificate of incorporation or equivalent; and
  - Copy of Memorandum and Articles of Association or equivalent; and/or
  - Copy of audited financial statements.
9. Authorised signatory list.

### **Partnership**

1. Full name.
2. Registered office address.
3. Principal business address.
4. Details of all partners (where not a Partnership Fund); or
5. If a Partnership Fund, names of General Partner and partners who own more than 25% of the partnership capital, profit or voting rights or otherwise exercise control over the management of the Partnership Fund and listing of directors, if appropriate. Where the beneficial owner is a corporate entity, the Administrator requires details of ultimate beneficial owners (this can be demonstrated through an organisation chart signed by an authorised signatory or shareholder register or other company documentation etc).
6. Verification of identity of General Partner and one other partner or one partner and one authorised signatory as per Individual Investor in Section 2 above.
7. Constitutional Document (e.g. Partnership Agreement).
8. Authorised signatory list.

### **Limited Liability Company**

1. Full name.

2. Registered office address.
3. Principal business address.
4. Details of Managing Members.
5. Verification of identity of two Managing Members or one Managing Member and one authorised signatory as per Individual Investor in Section 2 above.
6. Details of Members who own more than 25% of the share capital, profit or voting rights or otherwise exercise control over the management of the LLC. Where the beneficial owner is a corporate entity, the Administrator requires details of ultimate beneficial owners (this can be demonstrated through an organisation chart signed by an authorised signatory or shareholder register or other company documentation etc).
7. Constitutional Document (e.g. Certificate of formation).
8. Operating agreement.
9. Authorised signatory list.

#### **Collective Investment Scheme**

1. Full name of CIS.
2. Registered address of CIS.
3. Prospectus or equivalent.
4. Name and address of scheme promoter.
5. Name and address of scheme administrator.
6. Name and address of entity carrying out anti-money laundering checks and counter terrorist financing checks upon the scheme investors and confirmation that entity is regulated for AML purposes.
7. Names of any investors who own more than 25% of the share capital.
8. Authorised signatory list.

#### **Trust, Foundation or similar entity**

1. Full name of trust.
2. Registered address of trust.
3. Legal form of the trust, foundation or similar entity.
4. Trust deed or equivalent or confirmation of the entity to an appropriate register.
5. Nature / purpose of the Trust etc.
6. Details of all trustees
7. Verification of identity of two trustees or one trustee and one authorised signatory as per Individual Investor in Section 2 above.
8. Details of settler.
9. Details of any beneficial owners who own at least 25% of the share capital. or voting rights or otherwise exercises control over the trust. Where the beneficial owner is a corporate entity, the Administrator requires details of ultimate beneficial owners (this can be demonstrated through an organisation chart signed by an authorised signatory or shareholder register or other company documentation etc).
10. Authorised signatory list.

#### **Club or Society**

1. Full name.
2. Registered office address.
3. Nature/Purpose including the nature of funding.
4. Confirmation of the legal status.
5. Constitutional/Formation Document (e.g. Trust Deed) and / or copy of audited financial statements (if available).
6. List of officers.
7. Verification of identity of two officers of the Club/Society or one officer and one authorised signatory as per 'Individual Investor' in Section 2 above
8. Authorised signatory list.

### **Public Body**

For a Public Body in a Prescribed Country (defined on page 6) background from a reliable source (e.g. internet search) and Authorised Signatory List. Otherwise see 1- 9 below.

1. Full name.
2. Nature and status.
3. Registered office address.
4. Name of the home state authority and nature of its relationship with public body.
5. Ownership of the entity.
6. Names of main public body officials.
7. (Where applicable) details of all persons who own or control over 25% of the entity's share capital, profit or voting rights or otherwise exercises control over the management of the entity. Where the beneficial owner is a corporate entity, the Administrator requires details of ultimate beneficial owners (this can be demonstrated through an organisation chart signed by an authorised signatory or shareholder register or other company documentation etc).
8. Authorised signatory list.
9. Appropriate background information on the entity (e.g. via internet search).

### **School, College or University**

1. Full name.
2. Registered office address.
3. Authorised signatory list.
4. Verification of identity from relevant registers and/or from obtaining appropriate background information on the entity (e.g. via internet search).
5. Verification of identity of two officials or one official and one authorised signatory or 6 and 7 below.
6. Confirmation of ownership of the entity. In particular, confirmation of public ownership or independent ownership. If entity is privately owned, identify all persons who own or control 25% of the entity's share capital, profit or voting rights or otherwise exercises control over the management of the entity.
7. Names of main officials.

## Representations & Warranties

1. I/We confirm that I am/we are 18 years of age or over.
2. I/we, having received a copy of the current Prospectus along with any relevant supplements thereto and the most recent annual and/or semi-annual report of the ICAV (if any), hereby confirm and declare that this application is based solely on the information contained in such documentation and is made pursuant to the terms of this Account Opening Form.

In addition, I/we confirm the following:

- I/we have read the information contained in this form
- a copy of the latest Key Investor Information Document (KIID), relevant to my/our proposed investment(s), has been made available to me/us in line with my/our election below.
- I/we have read the latest KIID relevant to my/our proposed investment(s)
- I/we will read and review the latest version of the relevant KIID, provided to me/us in line with my/our election below, prior to making any subsequent application for Shares in any Fund or share class of the ICAV.
- any future investments into any Fund or share class of the ICAV can be transacted based on this confirmation.

Please elect one of the following by ticking the relevant box:

- I. I/we confirm that: (i) the provision of the KIID via the Investment Manager's website is appropriate to the context in which the business between the ICAV and I/us is, or is to be, carried on; (ii) when offered the choice between the KIID in paper form or in electronic form by accessing the latest version of the KIID via [www.kbiglobalinvestors.com](http://www.kbiglobalinvestors.com), I/we specifically choose the electronic form by accessing the latest version of the KIID via [www.kbiglobalinvestors.com](http://www.kbiglobalinvestors.com) in respect of all subscriptions in the ICAV present and future; (iii) I/We consent to the provision of the KIID or the Prospectus by means of the Distributor's website [www.kbiglobalinvestors.com](http://www.kbiglobalinvestors.com); and (iv) I/We have been notified electronically of the address of the website (i.e. [www.kbiglobalinvestors.com](http://www.kbiglobalinvestors.com)), and the place on the website where the KIID or the Prospectus may be accessed

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OR

- II. I/we wish to receive a copy of the KIID in paper form, sent to the address as detailed in Section 1 of this Account Opening Form. I/we confirm that I will request a copy of the KIID in this format prior to any investment in any Fund or share class of the ICAV

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3. I/We have made arrangements for payment to be made by electronic transfer in accordance with the provisions of the Prospectus and acknowledge that the ICAV reserves the right to reject the whole or in part any aspect of this application.
4. I/We agree that the issue and allotment to me/us of the Shares is subject to the provisions of the Prospectus, that subscription for Shares will be governed and construed in accordance with Irish law and I/we confirm that by subscribing for Shares, I/we are not relying on any information or representation other than such as may be contained in the Prospectus / KIID and the most recent annual or semi annual report (if available) thereto.



5. I/We certify that I/we are eligible to invest in the ICAV and I am/we are not acquiring Shares for or on behalf of, or for the benefit of, any person or entity who/which is not eligible to invest in the ICAV nor do I/we intend transferring any Shares which I/we may purchase to any person or entity who/which is not eligible to invest in the ICAV. I/We confirm that I/we are aware of the risks involved in the proposed investment and of the fact that inherent in such investment is the potential to lose the entire sum invested.

6. Select one:

I/We declare that I/we are not a U.S. person as defined in the Prospectus and that I/we are not applying as a nominee of a U.S. person and I/we are not acting on behalf of nor do I/we intend transferring any units to any U.S. person(s).

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I/We declare that I/we are a U.S. person as defined in the Prospectus or that I/we are applying as a nominee of a U.S. person.

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7. I/We confirm that I/we have the authority to make this investment whether the investment is my/our own or is made on behalf of another person or institution.
8. I/We agree to notify the ICAV or the Administrator immediately if I/we become aware that any of the representations, declarations or warranties given by me/us in this Account Opening Form is/are no longer accurate and complete in all respects and agree immediately to take such action as the ICAV may direct, including where appropriate, redemption of my/our entire holding.
9. I/We agree to indemnify the Administrator, the ICAV, the Investment Manager and Distributor and agree to keep the Administrator, the ICAV, the Investment Manager and Distributor indemnified against any loss of any nature whatsoever arising to any of them as a result of any breach of any of the representations, warranties or declarations given by me/us in this Account Opening Form.
10. I/We have such knowledge and experience in business and financial matters or have obtained advice from a professional adviser such that I am/we are capable of evaluating the merits, and the risks, of an investment by me/us in the ICAV.
11. I/We understand that the tax disclosure set forth in the Prospectus is of a general nature and may not cover the jurisdiction in which I am /we are subject to taxation and that the tax consequences of my/our purchase of Shares depend on my/our individual circumstances.
12. I/We confirm, by ticking the following box, that I am /we are resident of the Republic of Ireland and subject to withholding tax as described in the Prospectus
- ☐
13. I/We acknowledge the right of ICAV at any time to require the mandatory redemption of Shares in the circumstances provided for in the Prospectus.
14. To be valid, this Account Opening form (incorporating the declaration required by the Irish Revenue Commissioners) must be signed by each applicant and if not fully completed to the satisfaction of the ICAV or Administrator, the application may be rejected. In the case of a partnership/firm, applications should be signed by all the partners/proprietors. In the case of a corporation, applications should be executed under seal or signed by a duly authorised person(s) who should state the representation capacity. In the case of a Trust, applications should be made in the name of the scheme name. If this Account Opening form is signed under power of attorney, such power of attorney or duly certified copy thereof must accompany this application.

15. I/We understand that the confirmations, representations, declarations and warranties made herein are continuous and apply to all subsequent purchases of shares by me/us.
16. I/We hereby acknowledge that any notice or document may be served by the ICAV on me/us in the manner specified from time to time in the Prospectus and, for the purposes of the Electronic Commerce Act 2000, if I/we have provided an e-mail address or fax number to the ICAV or its delegate, consent to any such notice or document being sent to me/us by fax or electronically to the fax number or e-mail address previously identified to the ICAV or its delegate which I/we acknowledge constitutes effective receipt by me/us of the relevant notice or document. I/We acknowledge that I/we are not obliged to accept electronic communication and may at any time choose to revoke my/our agreement to receive communications by fax or electronically by notifying the ICAV in writing at the above address provided that my/our agreement to receive communications by fax or electronically shall remain in full force and effect pending receipt by the ICAV of written notice of such revocation.
17. Should any information furnished to any of the ICAV, Administrator, Investment Manager and the Distributor become inaccurate or incomplete in any way, I /we hereby agree to notify them immediately of any such change and further agree to request the redemption of Shares in respect which such confirmations have become incomplete or inaccurate.
18. Holders of Distributing Shares Classes in the relevant sub-funds of the ICAV which offer Distributing Share Classes(the "Sub-Funds") confirm as follows:

I/We understand that investment management fees and other recurring expenses may be charged to capital in respect of distributing Share Classes in the Sub-Funds of the ICAV. I/We acknowledge that where investment management fees and recurring expenses are charged to capital, the capital may be eroded and income shall be achieved by foregoing the potential for future capital growth. Thus, on redemptions of holdings I/we may not receive back the full amount invested. I/We understand that the policy of charging investment management fees and recurring expenses, or a portion thereof, to capital seeks to maximise distributions but it will also have the effect of lowering the capital value of our investment and constraining the potential for future capital growth.

Holders of Accumulating Shares Classes in the relevant sub-funds of the ICAV which offer Accumulating Share Classes(the "Sub-Funds") confirm as follows:

I/We understand that recurring expenses (excluding investment management fees) may be charged to capital in respect of accumulating Share Classes in the Sub-Funds of the ICAV. I/We acknowledge that where recurring expenses are charged to capital, the capital may be temporarily eroded. I/We understand that the policy of charging recurring expenses, or a portion thereof, to capital in respect of accumulating Share Classes will have the effect of temporarily increasing the income element of our investment but it will also have the effect of temporarily lowering the capital value of our investment, until such time as income is capitalised.

19. I/We, if not a natural person, am/are duly organised, validly existing and in good standing under the laws of the jurisdiction in which I am/we are organised and I/we have the power and authority to enter into and perform my/our obligations under this Account Opening Form.
20. I am/we are able to bear the economic risk of an investment in the Shares, including, without limitation, the risk of loss of all or a part of my/our investment. I/we do not have an overall commitment to investments which are not readily marketable that is disproportionate to my/our net worth, and my/our investment in the Shares will not cause such overall commitment to be excessive.
21. The Administrator and the ICAV are each hereby authorised and instructed to accept and execute any instructions in respect of the Shares to which this application relates given by me/us in written form or by facsimile. I/We hereby agree to indemnify the Administrator, on its own behalf and as agent of the ICAV and agree to keep the Administrator indemnified against any loss of any nature whatsoever arising as a result of the Administrator acting upon facsimile instructions. The Administrator may rely conclusively upon and shall incur no liability in respect of any action taken upon any notice, consent, request, instruction or other instrument believed in good faith to be genuine or to be signed by properly authorised persons.
22. I/We acknowledge that due to anti-money laundering requirements operating within Ireland, the Administrator or the ICAV (as the case may be) may require further identification of the applicant(s) before the application can be

processed and the Administrator, on its own behalf and as agent of the ICAV and the ICAV shall be held harmless and indemnified against any loss arising as a result of a failure to process the application, or a delay in processing any redemption requests, if such information requested by the Administrator or the ICAV has not been provided by me/us or has been provided in incomplete form. I/we agree to provide additional documentation upon request to the ICAV or its Administrator to enable the ICAV to comply with the requirement to keep customer due diligence documentation up to date.

23. I/We hereby accept such lesser number of Shares, if any, than may be specified above in respect of which this application may be accepted.
24. In respect of joint applicants only, we direct that on the death of one of us the Shares for which we hereby apply be held in the name of and to the order of the survivor or survivors of us or the executor or administrator of the last of such survivor or survivors
25. I/we acknowledge that my/our personal data will be processed in accordance with Data Protection Legislation. I/we acknowledge that as a consequence of my/our investment, the ICAV acting as a data controller may itself (or through third parties including but not limited to the Administrator, and the Investment Manager (the "Service Providers")) process my/our personal information or that of our directors, officers, employees, intermediaries and/or beneficial owners. I/we acknowledge that when processing my/our personal information, there may also be times where the Administrator or the Investment Manager will act as a data controller of my/our personal data. In circumstances where the Administrator or the Investment Manager acts as a data controller in respect of the information that has been provided to it by me/us or the ICAV, all rights afforded to me/us as a data subject under the GDPR shall be exercisable by me/us solely against the Administrator or the Investment Manager as applicable. I/we acknowledge that personal data collected from me/us or provided by me/us or on my/our behalf in connection with my/our application for Shares in the ICAV will be collected, stored, disclosed, used and otherwise processed by the Service Providers for the purposes outlined in the ICAV's Data Protection Notice as provided at Appendix 7. I/we confirm that I/we have read the section entitled- Data Protection Notice at Appendix 7. I/We confirm that we have read the section entitled, Customer Information Notice – Common Reporting Standards, contained at Appendix 6.
26. I/We hereby authorise the ICAV and the Administrator to retain all documentation provided by me/us in relation to my/our investment in the ICAV for such period of time as may be required by Irish law, but for not less than five years after the period of investment has ended.
27. I/We acknowledge that measures aimed at the prevention of money laundering or terrorist financing will require verification of my/our identity, address and source of funds. I/We acknowledge that the Administrator reserves the right not to issue Shares until such time as the Administrator has received and is satisfied with all the information and documentation it may in its absolute discretion request to verify my/our identity, address and source of funds. I/We agree to provide to the ICAV and the Administrator with any additional documentation that it or they may require to verify my/our identity in accordance with current anti-money laundering and terrorist financing legislation. I/We acknowledge that any delay by me/us in providing such documentation may result in delayed processing of my/our application and/or delayed payment of any future redemption payments to me/us or processing of share transfer requests on my/our behalf. I/We acknowledge that the ICAV and Administrator shall be held harmless against any loss arising as a result of a failure to process my/our application for Shares if such information and documentation as has been requested by the Administrator has not been provided by me/us.
28. I/We acknowledge that the ICAV or the Administrator also reserves the right to refuse to make any redemption payment or distribution to a Shareholder if any of the Directors or the ICAV or the Administrator suspects or is advised that the payment of any redemption or distribution moneys to such Shareholder might result in a breach or violation of any applicable anti-money laundering/counter terrorist financing or other laws or regulations by any person in any relevant jurisdiction, or such refusal is considered necessary or appropriate to ensure the compliance by the ICAV, its Directors or the Administrator with any such laws or regulations in any relevant jurisdiction.
29. I/We confirm that I am/we are not a Politically Exposed Person<sup>3</sup>

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<sup>3</sup> Politically exposed person" ("PEP") means an individual who is, or has at any time in the preceding 12 months been, entrusted with a prominent public function (but not including any middle ranking or more junior official). The definition also expands to a "close associate", "immediate family

30. I/We hereby authorize investigation of my/our identity and agree to an enhanced ongoing monitoring should I/we be deemed to be politically exposed either at the start of the business relationship or if I/we obtain politically exposed status throughout the course of the business relationship. I/we hereby acknowledge that the ICAV or the Administrator will apply enhanced due diligence if I/we are deemed to be politically exposed. In the case of an applicant which is an institution or body corporate, it hereby authorises enquiries relating to the identity of any person of its governing body or any person authorised to make investments in the ICAV on its behalf and agrees to an enhanced ongoing monitoring of such person's identity should that person be deemed to be politically exposed.
31. I/We understand and agree that any redemption proceeds paid to me/us will only be paid to a bank account in my/our name and with a recognised financial institution.
32. I/We also warrant and declare that the monies being invested pursuant to this application do not represent directly or indirectly the proceeds of any criminal activity and the investment is not designed to conceal such proceeds so as to avoid prosecution for an offence or otherwise. I/We agree to indemnify and hold harmless the ICAV, the Investment Manager, the Administrator, and their respective affiliates, directors, members, partners, shareholders, officers, employees and agents from and against any and all losses, liabilities, damages, penalties, costs, fees and expenses (including legal fees and disbursements) which may result, directly or indirectly, from any inaccuracy in or breach of any representation, warranty, covenant or agreement set forth in this section.

**Investors that are U.S. Persons must also provide the following representations and warranties:**

33. The Investor is an "accredited investor," as such term is defined in Rule 501 promulgated by the U.S. Securities and Exchange Commission under the United States Securities Act of 1933, as amended (the "U.S. Securities Act") and as set forth on Appendix 3.
34. The Investor is acquiring the Shares for investment purposes and not with a view to a distribution or resale thereof, in whole or in part.
35. The Investor understands that the Shares have not been registered under the U.S. Securities Act in reliance upon an exemption thereunder for transactions not involving any public offering, that the Shares have not been registered or qualified under any U.S. state blue sky law or any other securities law, that this offering has not been approved or disapproved by the United States Securities and Exchange Commission or by any other United States federal or state agency or any other country's securities regulatory agency and that no such agency has passed on the accuracy or adequacy of the Prospectus.
36. The Investor understands that the Shares constitute and will constitute "restricted securities" within the meaning of Rule 144 promulgated under the Securities Act and have not been and will not be registered under the Securities Act, and Rule 144, which permits the resale, subject to the satisfaction of minimum holding periods and various other terms and conditions, of "restricted securities", may not now apply to the Shares in all situations because the ICAV is not required to file, and does not file, current reports under the United States Securities Exchange Act of 1934, as amended (the "U.S. Exchange Act"), and there is no publicly available information concerning the ICAV substantially equivalent to that which would be available if the ICAV were required to file such reports; the ICAV does not intend to become a reporting company under the U.S. Exchange Act and the ICAV has no obligation to the Investors to do so; there are substantial restrictions on the transferability of the Shares; the Shares are not, and the Investor has no right to require the Shares to be, registered under the Securities Act; there will be no public market for the Shares; the Shares cannot be resold unless they are registered under the Securities Act or unless an exemption from registration is available; and, accordingly, it may not be possible for the Investor to liquidate its investment in the ICAV other than through the redemption of Shares in accordance with the terms of the Articles of Association of the ICAV and the Prospectus.
37. The Investor represents and warrants that the Investor is not (i) an "employee benefit plan" that is subject to Title I of

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member" of a politically exposed person and includes any of the following persons: (a) any individual who has joint beneficial ownership of a legal entity or arrangement or any other close business relations with a politically exposed person b) any individual who has sole beneficial ownership of a legal entity or legal arrangement set up for the actual benefit of a politically exposed person c) any spouse of a PEP c) any person who is the equivalent to a spouse of a PEP under the national law of the place where the person or a PEP resides, d) any child or parent of a PEP or spouse of a child of a PEP, e) any person who is the equivalent to a spouse of the child of a PEP under national law of the place where the person or child resides, f) any other family member who is of a prescribed class.

the United States Employee Retirement Income Security Act of 1974, as amended ("ERISA"), (ii) an individual retirement account or annuity or other plan that is in each case subject to Section 4975 of the United States Internal Revenue Code of 1986, as amended, or (iii) an entity whose underlying assets are deemed under ERISA to include "plan assets" as that term is used under ERISA (each a "Benefit Plan Investor"). The Investor acknowledges and understands that under ERISA the ICAV's assets may be deemed to be "plan assets" if, immediately after the most recent acquisition of any Shares in the ICAV, twenty-five percent (25%) or more of the value of any class of issued and outstanding Shares are held by Benefit Plan Investors, and therefore the Investor agrees to notify the ICAV promptly if the Investor's assets are or become plan assets. The Investor further agrees that in such event the Investor shall redeem such number of Shares, if any, as the ICAV shall request. In addition, the Investor understands that if the Investor is a Benefit Plan Investor and if the aggregate value of the Shares in any class held by Benefit Plan Investors equals or exceeds, or is about to equal or exceed, twenty-five percent (25%) of the value of all Shares in such class, the ICAV may, in its discretion, compulsorily redeem such number of Shares as the ICAV shall deem necessary or desirable.

38. If the Investor is an individual retirement account, qualified pension, profit-sharing or other retirement plan, or governmental plan or unit (all such entities are herein referred to as "Retirement Trusts"), then the Investor represents that the purchase of the Shares by the Retirement Trust has been authorized by the appropriate person or persons and that the Retirement Trust has consulted its counsel with respect to such investment and the Investor represents that the Investor has not relied on any advice of the Investment Manager or its affiliates in making its decision to purchase the Shares.
39. The Investor acknowledges and agrees that the ICAV shall have the right to compulsorily redeem some or all of the Investor's Shares at any time and for any reason, including for purposes of limiting the participation of Benefit Plan Investors, and including the other reasons set forth in the Prospectus.
40. If the Investor is an entity, the Investor hereby certifies it was not formed for the purpose of investing in the ICAV, nor did any of the Investor's shareholders, partners, or grantors, as the case may be, contribute additional capital for the purpose of purchasing Shares. The Investor agrees to provide the ICAV with any additional information reasonably requested by it in order to evidence the foregoing information.
41. If the Investor is an entity in which a holder of an interest in such entity may decide whether or how much to invest by means of such entity in various investment vehicles including the ICAV, then the Investor shall notify the ICAV of the number of holders of interests in the Investor, the number of holders of interests in the Investor that hold interests in the ICAV through such Investor and any changes to either such number. If the Investor is such an entity, it agrees that the ICAV may, in its discretion, compulsorily redeem such number of Shares as the ICAV shall deem necessary or desirable.

**The following representations and warranties relate to the Foreign Account Tax Compliance Act ("FATCA") and the Common Reporting Standards ("CRS") :**

42. I/We acknowledge that the ICAV intends to take such steps as may be required to satisfy any obligations imposed by (i) the Foreign Account Tax Compliance Act ("FATCA") or (ii) any provisions imposed under Irish law arising from the inter-governmental agreement between the Government of the United States of America and the Government of Ireland ("IGA") so as to ensure compliance or deemed compliance (as the case may be) with FATCA or the IGA from 1 July 2014.
43. Furthermore, I/We hereby acknowledge that the ICAV intends to also take such steps as may be required to satisfy any obligations imposed by (i) the Standard for Automatic Exchange of Financial Account Information in Tax Matters ("the Standard") and, specifically, the Common Reporting Standard ("CRS") therein or (ii) any provisions imposed under Irish law arising from the Standard or any international law implementing the Standard (to include the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information or the EU Council Directive 2011/16/EU (as amended by Council Directive 2014/107/EU)) so as to ensure compliance or deemed compliance (as the case may be) with the Standard and the CRS therein from 1 January 2016.
44. In order for the ICAV to comply with the above FATCA and CRS obligations, I/We agree to provide to the ICAV / Administrator the necessary declarations, confirmations and/or classifications at such times as each of them may request and furthermore provide any supporting certificates or documents as each of them may reasonably require in connection with this investment by reason of FATCA or CRS, as described above, or otherwise. Should any information furnished to any of them become inaccurate or incomplete in any way, I/we hereby agree to notify the ICAV / Administrator immediately of any such change and further agree to immediately take such action as the ICAV / Administrator may direct, including where appropriate, redemption of our Shares in respect of which such confirmations have become incomplete or



inaccurate where requested to do so by the ICAV / Administrator (as applicable). If relevant, I/we agree to notify the Administrator of any change to my/our tax residency status. I/we hereby also agree to indemnify and keep indemnified the ICAV / Administrator against any loss, liability, cost or expense (including without limitation legal fees, taxes and penalties) which may result directly or indirectly as a result of a failure to meet our obligations pursuant to this section or failure to provide such information which has been requested by the Administrator and has not been provided by me/us, and from any misrepresentation or breach of any warranty, condition, covenant or agreement set forth herein or in any document delivered by me/us to the Administrator. I/We further acknowledge that a failure to comply with the foregoing obligations or failure to provide the necessary information required may result in the compulsory redemption of our entire holding in the ICAV, and that the ICAV / Depositary are authorized to hold back from redemption proceeds or other distributions to me/us such amount as is sufficient after the deduction of any redemption charges to discharge any such liability and I/we shall indemnify and keep indemnified the ICAV / Depositary against any loss suffered by them or other Shareholders in the ICAV in connection with any obligation or liability to so deduct, withhold or account.

45. I/We confirm that we have accurately and correctly completed the relevant self-certification form included at Appendices 4 and 5. I/We further confirm that if any information included in the self-certification form subsequently becomes inaccurate or incorrect we will notify the ICAV / Administrator immediately of any such change and agree to immediately take such action as the ICAV / Administrator may direct, including where appropriate, redemption of our Shares.

#### *Umbrella Cash Accounts*

46. I/we acknowledge that the ICAV operates a number of cash accounts in different currencies in its name into which (i) subscription monies received from investors who have subscribed for Shares are deposited and held until Shares are issued as of the relevant Dealing Day; and (ii) redemption monies due to investors who have redeemed Shares are deposited and held until paid to the relevant investors; and (iii) dividend payments owing to Shareholders are deposited and held until paid to such Shareholders (hereinafter referred to as "Umbrella Cash Account(s)"). We acknowledge that all subscriptions, redemptions and dividends payable to or from a sub-fund are channelled and managed through the Umbrella Cash Accounts.
47. I/we acknowledge that my / our subscription monies/ redemption monies / dividend monies will be paid into the Umbrella Cash Account, that such monies will be treated as an asset of the relevant Sub-Fund and I/we will not benefit from the application of any investor money protection rules (i.e. the monies will not be held on trust as investor monies for me/us) and that I/we will be an unsecured creditor of the relevant Sub-Fund (i) with respect to the amount subscribed for Shares and held in the Umbrella Cash Account until such Shares are issued to me/us as of the relevant Dealing Day or (ii) with respect to the redemption/dividend amount to be paid and held in the Umbrella Cash Account until such amount is paid to me/us (whichever is applicable).
48. I/we acknowledge that in accordance with applicable anti money-laundering and terrorist financing requirements (the "AML Requirements"), redemption monies or dividend payments shall not be paid on un-verified accounts. In the event that I/we fail to submit the necessary documentation requested by the ICAV or its delegate as required under the AML Requirements, redemption monies or dividend monies will be held in an Umbrella Cash Account and shall remain an asset of the relevant Sub-Fund and I/we will not benefit from the application of any investor money protection rules (i.e. the redemption monies/dividend monies will not be held on trust for me/us). In such circumstances, I/we acknowledge that I/we will be unsecured creditors of the ICAV for the account of the relevant Sub-Fund in respect of such redemption monies or dividend payments until such time as the relevant documentation required by the ICAV or its delegate has been received to its satisfaction and the redemption monies/dividend payments have been paid to me/us.
49. I/we acknowledge that in the event of an insolvency of the ICAV or the relevant Sub-Fund while my/our monies are held in an Umbrella Cash Account there is no guarantee that the ICAV or the relevant Sub-Fund will have sufficient funds to pay unsecured creditors in full. I/we acknowledge that we have been advised by the ICAV to ensure that all relevant documentation requested by the ICAV in order to comply with AML Requirements is submitted to the ICAV promptly on subscribing for Shares in the ICAV.
50. I/we acknowledge that the following risks arise in relation to the operation of the Umbrella Cash Account:-
- (i) in the event that subscription monies received and held in an Umbrella Cash Account are lost (to include in the event of the insolvency of the bank with which such monies are held) prior to the issue of Shares to the relevant investor as of the relevant Dealing Day, the ICAV on behalf of the Sub-Fund may be obliged to make good any losses suffered by the investor (in its capacity as a general creditor of the Sub-Fund), in which case such loss will need to be discharged out of the assets of the relevant Sub-Fund and therefore will represent a diminution in the net asset value per share for existing Shareholders of the relevant Sub-Fund;
  - (ii) in the event that redemption or dividend monies held in a Sub-Fund cash account are lost (to include in the event of

the insolvency of the bank with which such monies are held) prior to payment to the relevant investor/ Shareholder, the ICAV on behalf of the Sub-Fund may be obliged to make good any losses suffered by the investor/ Shareholder (in its capacity as a general creditor of the Sub-Fund), in which case such loss will need to be discharged out of the assets of the relevant Sub-Fund and therefore will represent a diminution in the net asset value per Share for existing shareholders of the relevant Sub-Fund;

- (iii) in the event of an insolvency of the relevant Sub-Fund or the ICAV, there is no guarantee that the Sub-Fund or the ICAV will have sufficient funds to pay unsecured creditors in full. Investors who have forwarded subscription monies in advance of a dealing day and which are held in the Umbrella Cash Account and investors /Shareholders due redemption / dividend monies which are held in the umbrella cash account will rank equally with all other unsecured creditors of the relevant Sub-Fund and will be entitled to a pro-rata share of monies which are made available to all unsecured creditors by the insolvency practitioner. Therefore, in such circumstances, the investor subscribing for Shares may not recover all monies originally paid into the Umbrella Cash Account in relation to the application for Shares and the redeeming investor entitled to redemption monies and the Shareholder entitled to a dividend payment may not recover all monies originally paid into the umbrella cash account for onward transmission to that investor/Shareholder;
- (iv) in addition, investors should note that in the event of the insolvency of another Sub-Fund of the ICAV, recovery of any amounts to which a relevant Sub-Fund is entitled, but which may have transferred to such other insolvent Sub-Fund as a result of the operation of the Umbrella Cash Account(s) will be subject to the principles of Irish trust law and the terms of the operational procedures for the Umbrella Cash Accounts. There may be delays in effecting and/or disputes as to the recovery of such amounts, and the insolvent Sub-Fund may have insufficient funds to repay the amounts due to the relevant Sub-Fund.

#### **51. Markets in Financial Instruments Directive - Directive 2014/65/EU (MiFID II)**

Where I/we are investing in the ICAV as a nominee on behalf of underlying investors, I/we hereby confirm that I/we have received the European MiFID Template (or equivalent data format) from the Distributor which contains all relevant information relating to the ICAV, including information on the identified target market of end investors, appropriate channels for distribution of each Sub-Fund and disclosure on costs and charges in respect of the relevant Sub-Fund.

I/we further confirm that any investor acquiring shares in the ICAV via this nominee arrangement falls within the identified target market of end investors for the relevant Sub-Fund and that, to the extent applicable, I/we shall distribute the relevant Sub-Fund of the ICAV in accordance with the distribution channels identified by the Distributor for the relevant Sub-Fund.

I/we further confirm that I/we shall provide the ICAV and the Distributor with such information relating to the sale of the shares in the ICAV in order to enable the Distributor to conduct its periodic product reviews in accordance with its obligations under Directive 2014/65/EU.

## Investment Undertaking Tax - Declaration of Residence

### Declaration of Residence inside or outside Ireland (OWN BEHALF ONLY)

Please tick (i), (ii) or (iii) as appropriate

☐ **(i) Irish residents**

I am/we are an Irish resident who will cause the Fund to have an obligation to deduct and pay tax to the Irish Revenue Commissioners. *Irish resident companies entitled to the lower rate of Investment Undertaking Tax are required to provide a statement on its letterhead confirming that the company is within the charge of corporation tax.*

OR

☐ **(ii) Exempt Irish residents**

I am/we are an Irish resident who will not cause the Fund to have an obligation to deduct and pay tax to the Irish Revenue Commissioners. ***If this box is ticked, please also complete the declaration of exempt Irish residents below.***

OR

☐ **(iii) Non-Irish residents**

I am/we are not currently resident or ordinarily resident who will not cause the Fund to have an obligation to deduct and pay tax to the Irish Revenue Commissioners. ***If this box is ticked, please also complete the declaration of residence outside Ireland below.***

### Declaration of Residence for the beneficial owner inside or outside Ireland (INTERMEDIARIES ONLY)

Please tick (i), (ii) or (iii) as appropriate

☐ **(i) Irish residents**

As an Intermediary, I/we declare that the person who will be beneficially entitled to the units is an Irish resident who will cause the Fund to have an obligation to deduct and pay tax to the Irish Revenue Commissioners. *Irish resident companies entitled to the lower rate of Investment Undertaking Tax are required to provide a statement on its letterhead confirming that the company is within the charge of corporation tax.*

OR

☐ **(ii) Exempt Irish residents**

As an Intermediary, I/we declare that the person who will be beneficially entitled to the shares/units is an Irish resident who will not cause the Fund to have an obligation to deduct and pay tax to the Irish Revenue Commissioners. ***If this box is ticked, please also complete the declaration of exempt Irish residents below.***

OR

☐ **(iii) Non-Irish residents**

As an Intermediary, I/we declare that the person who will be beneficially entitled to the shares/units is not currently resident or ordinarily resident who will not cause the Fund to have an obligation to deduct and pay tax to the Irish Revenue Commissioners. ***If this box is ticked, please also complete the declaration of residence outside Ireland below.***

Authorised signatory: \_\_\_\_\_

Authorised signatory: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_



## Declaration of exempt Irish resident entities

### Declaration referred to in Section 739D(6), Taxes Consolidation

**[It is important to note that this declaration, if it is then still correct, shall apply in respect of any subsequent acquisitions of shares/units.]**

- I declare that the information contained in this declaration is true and correct.
- I also declare that I am applying for the shares/units on behalf of the applicant named below who is entitled to the units in respect of which this declaration is made and is a person referred to in Section 739D(6) of the Taxes Consolidation Act, 1997, being a person who is: *(please tick ☐ as appropriate)*
  - ☐ a pension scheme;
  - ☐ a company carrying on life business within the meaning of section 706 TCA 1997;
  - ☐ an investment undertaking;
  - ☐ an investment limited partnership;
  - ☐ a special investment scheme;
  - ☐ a unit trust to which section 731(5)(a) TCA 1997 applies;
  - ☐ a charity being a person referred to in section 739D(6)(f)(i) TCA 1997;
  - ☐ a qualifying management company;
  - ☐ entitled to exemption from income tax and capital gains tax by virtue of section 784A(2) TCA, 1997\* (see further requirement for Qualifying Fund Manager below);
  - ☐ a PRSA Administrator;
  - ☐ a credit union within the meaning of section 2 of the Credit Union Act 1997.

#### Additional requirements where the declaration is completed on behalf of a Charity

- I also declare that at the time of making this declaration, the units in respect of which this declaration is made are held for charitable purposes only and
  - form part of the assets of a body of persons or trust treated by the Revenue Commissioners as a body or trust established for charitable purposes only, or
  - are, according to the rules or regulations established by statute, charter, decree, deed of trust or will, held for charitable purposes only and are so treated by the Revenue Commissioners.
- I undertake that, in the event that the person referred to in paragraph (7) of Schedule 2B TCA 1997 ceases to be a person referred to in Section 739D(6)(f)(i) TCA, 1997, I will, by written notice, bring this fact to the attention of the investment undertaking accordingly.

#### Additional requirements where the declaration is completed by a qualifying fund manager / PRSA Administrator

- I/we\* also declare that at the time this declaration is made, the units in respect of which this declaration is made
  - are assets of \*an approved retirement fund/an approved minimum retirement fund or a PRSA, and
  - are managed by the Declarant for the individual named below who is beneficially entitled to the units.
- I/we\* undertake that, if the units cease to be assets of \*the approved retirement fund/the approved minimum retirement fund or the PRSA, including a case where the units are transferred to another such fund or account, I/we\* will, by written notice, bring this fact to the attention of the investment undertaking accordingly.

\*Delete as appropriate

#### Additional requirements where the declaration is completed by an Intermediary

- I/we\* also declare that I am/we are\* applying for shares/units on behalf of persons who
  - to the best of my/our\* knowledge and belief, have beneficial entitlement to each of the shares/units in respect of which this declaration is made, and
  - is a person referred to in section 739D(6) TCA 1997.
- I/we\* further declare that

- Unless I/we\* specifically notify you to the contrary at the time of application, all applications for shares/units made by me/us\* from the date of this application will be made on behalf of persons referred to in section 739D TCA 1997, and
- I/we\* will inform you in writing if I/we\* become aware that any person ceases to be a person referred to in section 739D(6) TCA 1997.

\* Delete as appropriate

**Name of applicant:** \_\_\_\_\_

**Irish tax reference number of applicant:** \_\_\_\_\_

**Authorised signatory:** \_\_\_\_\_ **(declarant)**

**Capacity in which declaration is made:** \_\_\_\_\_

**Authorised signatory:** \_\_\_\_\_ **(declarant)**

**Capacity in which declaration is made:** \_\_\_\_\_

**Date:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_

#### **IMPORTANT NOTES**

1. This is a form authorised by the Revenue Commissioners which may be subject to inspection. It is an offence to make a false declaration.

2. Tax reference number in relation to a person has the meaning assigned to it by Section 885 TCA, 1997 in relation to a "specified person" within the meaning of that section. In the case of a charity, quote the Charity Exemption Number (CHY) as issued by Revenue. In the case of a qualifying fund manager, quote the tax reference number of the beneficial owner of the share/units.

3. In the case of, (i) an exempt pension scheme, the administrator must sign the declaration; (ii) a retirement annuity contract to which Section 784 or 785 applies, the person carrying on the business of granting annuities must sign the declaration; (iii) a trust scheme, the trustees must sign the declaration. In the case of a charity, the declaration must be signed by the trustees or other authorised officer of a body of persons or trust established for charitable purposes only within the meaning of Sections 207 and 208 TCA 1997. In the case of an approved retirement fund/an approved minimum retirement fund or a PRSA, it must be signed by a qualifying fund manager or PRSA administrator. In the case of an intermediary, the declaration must be signed by the intermediary. In the case of a company, the declaration must be signed by the company secretary or other authorised officer. In the case of a unit trust it must be signed by the trustees. In any other case it must be signed by an authorised officer of the entity concerned or a person who holds a power of attorney from the entity. A copy of the power of attorney should be furnished in support of this declaration.

**Declaration of residence outside Ireland**

It is important to note that this declaration, if it is then still correct, shall apply in respect of any subsequent acquisitions of shares/units. Terms used in this declaration are defined in the Prospectus.

**Declaration on own behalf**

I/we\* declare that I am/we are\* applying for the shares/units on my own/our own behalf/on behalf of a company\* and that I am/we are/the company\* is entitled to the shares/units in respect of which this declaration is made and that

- I am/we are/the company is\* not currently resident or ordinarily resident in Ireland, and
- Should I/we/the company\* become resident in Ireland I will/we will\* so inform you, in writing, accordingly.

\*Delete as appropriate

**Declaration as Intermediary**

I/we\* declare that I am/we are\* applying for shares/units on behalf of persons:

- who will be beneficially entitled to the shares/units; and
- who, to the best of my/our\* knowledge and belief, are neither resident nor ordinarily resident in Ireland.

\*Delete as appropriate

**Name and address of applicant:** \_\_\_\_\_

\_\_\_\_\_

**Signature of applicant or authorised signatory:** \_\_\_\_\_ (declarant)

**Capacity of authorised signatory (if applicable):** \_\_\_\_\_

**Date:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Joint Applicants:**

**Names:** \_\_\_\_\_ **Signatures:** \_\_\_\_\_

\_\_\_\_\_

**IMPORTANT NOTES**

1. Non-resident declarations are subject to inspection by the Irish Revenue Commissioners and it is a criminal offence to make a false declaration.

2. To be valid, the application form (incorporating the declaration required by the Irish Revenue Commissioners) must be signed by the applicant. Where there is more than one applicant, each person must sign. If the applicant is a company, it must be signed by the company secretary or another authorised officer.

3. If the application form (incorporating the declaration required by the Revenue Commissioners) is signed under power of attorney, a copy of the power of attorney must be furnished in support of the declaration.

**SIGNATURES**

/ We declare that the information contained in this Account Opening Form and any attached documentation is true and accurate to the best of my/our knowledge and belief.

<b>Date</b>	
<b>Signed</b>	Signatory Capacity if applicable (i.e. Director/manager)
<b>1</b>	
<b>2</b>	
<b>3</b>	
<b>4</b>	
<b>IN THE CASE OF JOINT HOLDERS – ALL HOLDERS MUST COMPLETE THIS DECLARATION</b>	

## APPENDIX 1

### **Letter of Undertaking (example) to be received from a Designated Body based in a Prescribed Country on its company letterhead**

[Date]

To: Northern Trust International Fund Administration Services (Ireland) Limited Georges Court  
54-62 Townsend Street  
Dublin 2  
Ireland

Fund Name: **KBI Funds ICAV ("the Fund")**

Investor Name: [Insert "All" if this letter is required to cover all investors introduced by this Designated Body].

### **Re: Anti-Money Laundering and Client Identification Representations**

Dear Sirs,

[Full Legal Name of Regulated Institution] is licensed and regulated within [Country/State] by [Regulator and licence No] in respect of the conduct of all our financial business activities including for the purposes of anti-money laundering and terrorist financing.

[Regulated Institution] is bound by and complies with the due diligence requirements as set out in regulations and/or guidance issued on the Prevention of Money Laundering and Countering the Financing of Terrorism under [Name of legislation]. We acknowledge that we are being relied upon by the Fund and Northern Trust International Fund Administration Services (Ireland) Limited ('Northern Trust') as Transfer Agent appointed by the Fund for the purposes of meeting the aforementioned Customer Due Diligence ('CDD') obligations in relation to investors in the Fund and have not relied on another third party in meeting our CDD obligations.

[Regulated Institution] verifies the identity of all its clients ("the introduced investor(s)") who have invested in the ICAV and we make the following representations and undertakings:

### **Customer Due Diligence**

1. We have conducted Customer Due Diligence (and where appropriate Enhanced Customer Due Diligence) on the introduced investor (s) and, where applicable, the principal beneficial owners of the introduced investor(s);
2. We will conduct such verification and due diligence of any new investors and beneficial owner(s), where applicable;

3. We have access to, retain and verify, to the extent required by regulation, the identity, including the true name and proof of current permanent residence of the introduced investor(s);
4. In the event that the introduced investor(s) is a corporate or other entity we use all reasonable efforts to verify the identity of the ultimate beneficial owners or beneficiaries of that entity, obtain constitutional documents, a list of directors and executive officers (or identifying information relating to those directors and officers) and evidence that the persons executing documents on behalf of the introduced investor(s) are properly authorised;
5. In the event we are unable to verify the identity of an introduced investor(s) we will inform you as soon as it is reasonably practical;
6. To the best of our knowledge, we are satisfied that the introduced investor(s), and, where applicable the beneficial owner(s), are engaged in legitimate business activities and that their funds and assets are derived from legitimate sources. We are unaware of any activities on the part of the introduced investor(s) which could lead us to believe that such introduced investor(s) is involved in criminal conduct, money laundering or terrorist activities;
7. To the extent that the introduced investor(s) or beneficial owner(s) is a bank, including a branch, agency or office of a bank, we have taken and will take reasonable measures to establish that the bank has a physical presence or is an affiliate or a regulated entity. We will not accept investments from or on behalf of [foreign] shell banks.
8. To the extent that we know or have reason to believe that the introduced investor(s) or beneficial owner(s) is/are current or former Politically Exposed Person(s) ("PEP") or an immediate family member or a close associate of such a PEP, we have conducted appropriate due diligence of the introduced investor(s)/beneficial owner(s). We undertake to inform you as soon as reasonably practicable of any PEPs which have been determined in this manner.

### **Suspicious Activity**

9. We will monitor transactions of our clients to identify possible suspicious activity. If we identify any unusual or suspicious activity of any introduced investor and beneficial owner, we will notify your MLRO as appropriate;

### **OFAC/EU Sanctions Representation and Warranties**

10. We have confirmed and verified that none of the introduced investor(s), persons controlling or controlled by the introduced investor(s), or persons having a beneficial interest in the introduced investor(s) is; named on a list of prohibited entities and individuals maintained and updated by the OFAC (Office of the Foreign Assets Control) or EU (Composite list of persons and organisations against whom sanctions have been imposed), or is prohibited pursuant to the sanctions programs administered by the OFAC or EU. We will recheck the names of each introduced investor and Beneficial Owner against OFAC and EU Lists as these lists are from time to time amended or if there is a change in ownership or control of the introduced investor(s);
11. If we determine in the future that an introduced investor or beneficial owner becomes subject to sanctions or is included on the OFAC or EU Lists, we will advise you of this in order for appropriate measures to be taken, including blocking of any assets of the introduced investor(s);

## General Provisions

12. We acknowledge that the Administrator and the ICAV are placing reliance on (insert Legal Name of Regulated Financial Institution) for the purposes of meeting its due diligence obligations (except for ongoing monitoring) in respect of the introduced investor(s), and where applicable the beneficial owners;
13. We will retain and maintain documentary evidence of the identity of the introduced investor(s), and where applicable the beneficial owners, for a period of at least five years from the cessation of our relationship with the introduced investor;
14. We undertake that prior to the destruction of such documents and information; we will ensure that the relevant documents and information are provided to you, where there is a continuing relationship between investors and [Insert Name of Administrator and the Name of the ICAV].
15. We agree to furnish you with the documentary evidence retained by us concerning the introduced investor(s) promptly upon request. In the event of any inquiry from a regulator or a competent law enforcement agency, we agree to provide you with all the necessary information to satisfy the request;
16. We undertake to advise you immediately, should at any time in the future, our licence or registration as noted above, be altered or revoked.

Yours sincerely,

Full Name & Position:

On behalf of [REGULATED INSTITUTION]

## APPENDIX 2

**Letter of Undertaking (example) to be received from a Designated Body in a Prescribed Country on its letterhead in respect of the Underlying Investor(s) introduced by the Nominee Company, which is 100% owned by Designated Body**

[Date]

To: Northern Trust International Fund Administration Services (Ireland) Limited  
Georges Court  
54-62 Townsend Street  
Dublin 2

Fund Name: **KBI Funds ICAV (“the Fund”)**

Investor Name: [Insert “All” if this letter is required to cover all underlying investors introduced by the Nominee]

### **Re: Anti-Money Laundering and Client Identification Representations**

Dear Sirs,

[Full Legal Name of Nominee Company] is a wholly owned subsidiary of [Full Legal Name of Regulated Institution], which is licensed and regulated by [Regulator and licence No] within [Country/State] in respect of the conduct of all our financial business activities including for the purposes of anti-money laundering and terrorist financing.

[Regulated Institution] is bound by and complies with the due diligence requirements as set out in regulations and/or guidance issued on the Prevention of Money Laundering and Countering the Financing of Terrorism under [Name of legislation]. We acknowledge that we are being relied upon by the Fund and Northern Trust International Fund Administration Services (Ireland) Limited (‘Northern Trust’) as Transfer Agent appointed by the Fund for the purposes of meeting the aforementioned Customer Due Diligence (‘CDD’) obligations in relation to investors in the Fund and have not relied on another third party in meeting our CDD obligations

[Full Legal name of Regulated Institution] verifies the identity of all its clients (“the underlying investors”) who have invested in the ICAV via the Nominee Company and makes the following representations, warranties and undertakings:

### **Customer Due Diligence**

1. We have conducted Customer Due Diligence (and where appropriate Enhanced Customer Due Diligence) on the underlying investor (s) and, where applicable, the principal beneficial owners of the underlying investor(s);



2. We will conduct such verification and due diligence of any new underlying investors and beneficial owner(s), where applicable;
3. We have access to, retain and verify, to the extent required by regulation, the identity, including the true name and proof of current permanent residence of the underlying investor(s);
4. In the event that the underlying investor(s) is a corporate or other entity we use all reasonable efforts to verify the identity of the ultimate beneficial owners or beneficiaries of that entity, obtain constitutional documents, a list of directors and executive officers (or identifying information relating to those directors and officers) and evidence that the persons executing documents on behalf of the underlying investor(s) are properly authorised;
5. In the event we are unable to verify the identity of an underlying investor(s) we will inform you as soon as it is reasonably practical;
6. To the best of our knowledge, we are satisfied that the underlying investor(s), and, where applicable the beneficial owner(s), are engaged in legitimate business activities and that their funds and assets are derived from legitimate sources. We are unaware of any activities on the part of the underlying investor(s) which could lead us to believe that such underlying investor(s) is involved in criminal conduct, money laundering or terrorist activities;
7. To the extent that the underlying investor(s) or beneficial owner(s) is a bank, including a branch, agency or office of a bank, we have taken and will take reasonable measures to establish that the bank has a physical presence or is an affiliate or a regulated entity. We will not accept investments from or on behalf of [foreign] shell banks.
8. To the extent that we know or have reason to believe that the underlying investor(s) or beneficial owner(s) is/are current or former Politically Exposed Person(s) ("PEP") or an immediate family member or a close associate of such a PEP, we have conducted appropriate due diligence of the underlying investor(s)/beneficial owner(s). We undertake to inform you as soon as reasonably practicable of any PEPs which have been determined in this manner.

### **Suspicious Activity**

9. We will monitor transactions of our clients to identify possible suspicious activity. If we identify any unusual or suspicious activity of any underlying investor and beneficial owner, we will notify your MLRO as appropriate;

### **OFAC/EU Sanctions Representation and Warranties**

10. We have confirmed and verified that none of the underlying investor(s), persons controlling or controlled by the underlying investor(s), or persons having a beneficial interest in the underlying investor(s) is; named on a list of prohibited entities and individuals maintained and updated by the OFAC (Office of the Foreign Assets Control) or EU (Composite list of persons and organisations against whom sanctions have been imposed), or is prohibited pursuant to the sanctions programs administered by the OFAC or EU. We will recheck the names of each underlying investor and Beneficial Owner against OFAC and EU Lists as these lists are from time to time amended or if there is a change in ownership or control of the underlying investor(s);
11. If we determine in the future that an underlying investor or beneficial owner becomes subject to sanctions or is included on the  
OFAC  
or EU  
Lists, we will advise you of this in order for appropriate measures to be taken, including blocking of any assets of the underlying

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investor(s);

### General Provisions

12. We acknowledge that the Administrator and the ICAV are placing reliance on (insert Legal Name of Regulated Financial Institution) for the purposes of meeting its due diligence obligations (except for ongoing monitoring) in respect of the underlying investor(s), and where applicable the beneficial owners;
13. We will retain and maintain documentary evidence of the identity of the underlying investor(s), and where applicable the beneficial owners, for a period of at least five years from the cessation of our relationship with the underlying investor;
14. We undertake that prior to the destruction of such documents and information; we will ensure that the relevant documents and information are provided to you, where there is a continuing relationship between the underlying investors and the Administrator/ICAV.
15. We agree to furnish you with the documentary evidence retained by us concerning the Nominee Company, the underlying investor(s) and where applicable their beneficial owner(s) promptly upon request. In the event of any inquiry from a regulator or a competent law enforcement agency, we agree to provide you with all the necessary information to satisfy the request;
16. We undertake to advise you immediately, should at any time in the future, our licence or registration as noted above, be altered or revoked.

Yours sincerely,

Full Name & Position:

On behalf of [REGULATED INSTITUTION]

## Appendix 3

### DEFINITION OF ACCREDITED INVESTOR FOR PURPOSES OF THIS ACCOUNT OPENING FORM

The United States federal securities laws define the term “accredited investor” in Rule 501 of Regulation D, promulgated under the U.S. Securities Act. To be an accredited investor, a potential investor must be one of the following:

- (i) A natural person who has an individual net worth, or joint net worth with that investor's spouse, exceeding \$1,000,000, excluding the value of the primary residence of such natural person (For purposes of this net worth calculation the natural person may exclude the amount of indebtedness secured by his or her primary residence up to the amount of the value of such primary residence. Any indebtedness secured by the natural person's primary residence in excess of the value of such primary residence should, however, be treated as a liability and deducted from net worth. In addition, any debt secured by the primary residence which is incurred within 60 days of the subscription for Interests must also be subtracted from the calculation of net worth, unless such debt was incurred in connection with the acquisition of such primary residence);
- (ii) A natural person who has an individual income, not including a spouse's income, in excess \$200,000 in each of the two most recent years or has joint income with a spouse in each of those years in excess of \$300,000 and reasonably expects to achieve the same income levels in the current year;
- (iii) A bank, insurance company, registered investment company, business development company, or small business investment company;
- (iv) Any organization described in Section 501(c)(3) of the United States Internal Revenue Code, corporation, Massachusetts or similar business trust, limited liability company or partnership, with assets in excess of \$5,000,000 and which is not formed for the specific purpose of acquiring the securities offered;
- (v) An employee benefit plan within the meaning of Title I of the United States Employee Retirement Security Act of 1974, for which all investment decisions are made by a plan fiduciary, as defined in Section 3(21) of such Act, which is either a bank, insurance company, or registered investment advisor, an employee benefit plan within such meaning which has total assets in excess of \$5,000,000, or a self directed employee benefit plan within such meaning, with investment decisions made solely by persons that are accredited investors;
- (vi) Any trust with total assets in excess of \$5,000,000 whose purchase is directed by a person who has such knowledge and experience in financial and business matters that such person is capable of evaluating the merits and risks of the prospective investment and which is not formed for the specific purpose of acquiring the securities offered;
- (vii) A director or executive officer of the Company; or
- (viii) An entity in which all the equity owners are Accredited Investors.

## APPENDIX 4

### Individual (Controlling Person's) Self-Certification for FATCA and CRS

#### Instructions for completion

We are obliged under Section 891E, Section 891F and Section 891G of the Taxes Consolidation Act 1997 (as amended) and regulations made pursuant to those sections to collect certain information about each investor's tax arrangements. Please complete the sections below as directed and provide any additional information that is requested. Please note that in certain circumstances we may be legally obliged to share this information, and other financial information with respect to an investor's interests in the Fund with relevant tax authorities. This form is intended to request information only where such request is not prohibited by Irish law.

If you have any questions about this form or defining the investor's tax residency status, please refer to the OECD CRS Portal or speak to a tax adviser.

For further information on FATCA or CRS please refer to Irish Revenue website at <http://www.revenue.ie/en/business/aeoi/index.html> or the following link to the OECD CRS Information Portal at: <http://www.oecd.org/tax/automatic-exchange/> in the case of CRS only.

If any of the information below about the investor's tax residence or FATCA/CRS classification changes in the future, please advise of these changes promptly.

Please note that where there are joint or multiple account holders each investor is required to complete a separate Self-Certification form.

**Sections 1, 2, 3 and 5 must be completed by all investors.**

**Section 4 should only be completed by any individual who is a Controlling Person of an entity investor which is a Passive Non-Financial Entity.** For further guidance see <http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/common-reporting-standard-and-related-commentaries/#d.en.345314>

*(Mandatory fields are marked with an \*)*

#### Section 1: Investor Identification

Investor Name\*: \_\_\_\_\_

Current Residential Address\*:

Number: \_\_\_\_\_ Street: \_\_\_\_\_

City, Town, State, Province or County: \_\_\_\_\_

Postal/ZIP Code: \_\_\_\_\_ Country: \_\_\_\_\_

Mailing address (if different from above):

Number: \_\_\_\_\_ Street: \_\_\_\_\_

City, Town, State, Province or County: \_\_\_\_\_

Postal/ZIP Code: \_\_\_\_\_ Country: \_\_\_\_\_

Place Of Birth\*

Town or City of Birth\*: \_\_\_\_\_ Country of Birth\*: \_\_\_\_\_

Date of Birth\*: \_\_\_\_\_

## Section 2: FATCA Declaration of U.S. Citizenship or U.S. Residence for Tax purposes\*:

Please tick either (a) or (b) and complete as appropriate.

- (a) ☐ I confirm that **[I am]**/[the investor is] a U.S. citizen and/or resident in the U.S. for tax purposes and [my]/[its] U.S. federal taxpayer identifying number (U.S. TIN) is as follows:

\_\_\_\_\_

**OR**

- (b) ☐ I confirm that **[I am not]**/[the investor is not] a U.S. citizen or resident in the U.S. for tax purposes.

## Section 3: CRS Declaration of Tax Residency (please note you may chose more than one country)\*

Please indicate your/ the investor's country of tax residence (if resident in more than one country please detail all countries of tax residence and associated taxpayer identification numbers ("TIN"). Please see the CRS Portal for more information on Tax Residency.

Country of Tax Residency	Tax ID Number

**NOTE:**

Provision of a Tax ID number (TIN) is required unless you are tax resident in a Jurisdiction that does not issue a TIN.

## Section 4 – Type of Controlling Person

(ONLY to be completed by any individual who is a Controlling Person of an entity investor which is a Passive Non-Financial Entity or an Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution)

For joint or multiple Controlling Persons please complete a separate Self-Certification form for each Controlling Person

<i>Please Confirm what type of Controlling Person applicable under CRS that applies to you/the investor by ticking the appropriate box.</i>	<b>Please Tick</b>	<b>Entity Name</b>
Controlling Person of a legal person – control by ownership		
Controlling Person of a legal person – control by other means		
Controlling Person of a legal person – senior managing official		
Controlling Person of a trust - settlor		
Controlling Person of a trust – trustee		
Controlling Person of a trust – protector		
Controlling Person of a trust – beneficiary		
Controlling Person of a trust – other		
Controlling Person of a legal arrangement (non-trust) – settlor-equivalent		
Controlling Person of a legal arrangement (non-trust) – trustee-equivalent		
Controlling Person of a legal arrangement (non-trust) – protector-equivalent		
Controlling Person of a legal arrangement (non-trust) – beneficiary-equivalent		
Controlling Person of a legal arrangement (non-trust) – other-equivalent		

## Section 5: Declaration and Undertakings:

**I declare that the information provided in this form is, to the best of my knowledge and belief, accurate and complete.**

**I acknowledge that the information contained in this form and information regarding the Account Holder may be reported to the tax authorities of the country in which this account(s) is/are maintained and exchanged with tax authorities of another country or countries in which the Account Holder may be tax resident where those countries (or tax authorities in those countries) have entered into Agreements to exchange financial account information.**

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I undertake to advise the recipient promptly and provide an updated Self-Certification form where any change in circumstances occurs which causes any of the information contained in this form to be incorrect.

**Authorised Signature\*:** \_\_\_\_\_

**Print Name\*:** \_\_\_\_\_

**Date: (dd/mm/yyyy)\*:** \_\_\_\_\_

**Capacity\*:** \_\_\_\_\_

  

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## APPENDIX 5

### Entity Self-Certification for FATCA and CRS

#### Instructions for completion

We are obliged under Section 891E, Section 891F and Section 891G of the Taxes Consolidation Act 1997 (as amended) and regulations made pursuant to those sections to collect certain information about each investor's tax arrangements. Please complete the sections below as directed and provide any additional information that is requested. Please note that in certain circumstances we may be legally obliged to share this information, and other financial information with respect to an investor's interests in the Fund with relevant tax authorities. This form is intended to request information only where such request is not prohibited by Irish law.

If you have any questions about this form or defining the investor's tax residency status, please refer to the OECD CRS Portal or speak to a tax adviser.

For further information on FATCA or CRS please refer to Irish Revenue website at <http://www.revenue.ie/en/business/aeoi/index.html> or the following link: <http://www.oecd.org/tax/automatic-exchange/> in the case of CRS only.

If any of the information below about the investor's tax residence or FATCA/CRS classification changes in the future, please ensure that we are advised of these changes promptly.

(Mandatory fields are marked with an \*)

**Investors that are individuals should not complete this form and should complete the form entitled "Individual Self-Certification for FATCA and CRS".**

#### Section 1: Investor Identification

Investor Name\*: \_\_\_\_\_ (the "Entity")

Country of Incorporation or Organisation: \_\_\_\_\_

#### Current Registered Address\*:

Number: \_\_\_\_\_ Street: \_\_\_\_\_

City, town, State, Province or County: \_\_\_\_\_

Postal/ZIP Code: \_\_\_\_\_ Country: \_\_\_\_\_

#### Mailing address (if different from above):

Number: \_\_\_\_\_ Street: \_\_\_\_\_

City, town, State, Province or County: \_\_\_\_\_

Postal/ZIP Code: \_\_\_\_\_ Country: \_\_\_\_\_

#### Section 2: FATCA Declaration Specified U.S. Person:

Please tick either (a), (b) or (c) below and complete as appropriate.

**a)** The Entity **is** a Specified U.S. Person and the Entity's U.S. Federal Taxpayer Identifying number (U.S. TIN) is as follows:

U.S. TIN: \_\_\_\_\_

☐

Or

**b)** The Entity is **not** a Specified U.S. Person (please also complete Sections 3, 4 and 5)

☐

Or

☐

c) The Entity is a US person but **not** a *Specified U.S. Person* (please also complete Sections 3, 4 and 5)

**Section 3: Entity's FATCA Classification\*** (the information provided in this section is for FATCA, please note your classification may differ from your CRS classification in Section 5):

**3.1 Financial Institutions under FATCA:**

If the Entity is a *Financial Institution*, please tick one of the below categories and provide the Entity's GIIN at 3.2

I.	<i>Irish Financial Institution or a Partner Jurisdiction Financial Institution</i>	
II.	<i>Registered Deemed Compliant Foreign Financial Institution</i>	
III.	<i>Participating Foreign Financial Institution</i>	

**3.2** Please provide the Entity's *Global Intermediary Identification number (GIIN)* \_\_\_\_\_

**3.3** If the Entity is a *Financial Institution* but unable to provide a *GIIN*, please tick one of the below reasons:

I.	The Entity has not yet obtained a <i>GIIN</i> but is sponsored by another entity which does have a <i>GIIN</i> Please provide the sponsor's name and sponsor's <i>GIIN</i> : Sponsor's Name: _____ Sponsor's <i>GIIN</i> : _____	
II.	<i>Exempt Beneficial Owner</i>	
III.	<i>Certified Deemed Compliant Foreign Financial Institution (including a deemed compliant Financial Institution under Annex II of the Agreement)</i>	
IV.	<i>Non-Participating Foreign Financial Institution</i>	
V.	<i>Excepted Foreign Financial Institution</i>	

**3.4 Non-Financial Institutions under FATCA:**

If the Entity is not a *Financial Institution*, please tick one of the below categories

I.	<i>Active Non-Financial Foreign Entity</i>	
II.	<i>Passive Non-Financial Foreign Entity</i> (If this box is ticked, please include self-certification forms for each of your <i>Controlling Persons</i> )	
III.	<i>Excepted Non-Financial Foreign Entity</i>	

**Section 4: CRS Declaration of Tax Residency (please note that you may choose more than one country)\***

Please indicate the Entity's country of tax residence for CRS purposes, (if resident in more than one country please detail all countries of tax residence and associated tax identification numbers ("TIN")).

**NOTE:** Provision of a Tax ID number (TIN) is required unless you are tax resident in a Jurisdiction that does not issue a (TIN).

If the Entity is not tax resident in any jurisdiction (e.g., because it is fiscally transparent), please indicate that below and provide its place of effective management or country in which its principal office is located.

Country of Tax Residency	Tax ID Number

**Section 5: Entity's CRS Classification\*** (The information provided in this section is for CRS. Please note an Entity's CRS classification may differ from its FATCA classification in Section 3):

For more information please see the CRS Standard and associated commentary. <http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/common-reporting-standard-and-related-commentaries/#d.en.345314>

**5.1 Financial Institutions under CRS:**

If the Entity is a *Financial Institution*, please tick one of the below categories



I.	<i>Financial Institution under CRS (other than (II) below)</i>	
II.	<i>An Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution (If this box is ticked, please indicate the name of any Controlling Person(s) of the Entity and complete a separate individual self-certification forms for each of your Controlling Persons **)</i>	

## 5.2 Non Financial Institutions under CRS:

If the Entity is a *Non Financial Institution*, please tick one of the below categories

I.	<i>Active Non-Financial Entity</i> – a corporation the stock of which is regularly traded on an established securities market or a corporation which is a related entity of such a corporation	
II.	<i>Active Non-Financial Entity</i> – a Government Entity or Central Bank	
III.	<i>Active Non-Financial Entity</i> – an International Organisation	
IV.	<i>Active Non-Financial Entity</i> – other than (I)-(III) (for example a start-up NFE or a non-profit NFE)	
V.	<i>Passive Non-Financial Entity</i> (If this box is ticked, please complete a separate Individual Self-Certification Form for each of your Controlling Person(s) )	

### \*\*Controlling Person's:

**NB: Please note that each Controlling Person must complete a Separate Individual Self-Certification form.**

**If there are no natural person(s) who exercise control of the Entity then the Controlling Person will be the natural person(s) who hold the position of senior managing official of the Entity.**

For further information on Identification requirements under CRS for Controlling Persons, see the Commentary to Section VIII of the CRS Standard. <http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/common-reporting-standard-and-related-commentaries/#d.en.345314>

## Section 6: Declarations and Undertakings

I/We declare (as an authorised signatory of the Entity) that the information provided in this form is, to the best of my/our knowledge and belief, accurate and complete.

**I acknowledge that the information contained in this form and information regarding the Account Holder may be reported to the tax authorities of the country in which this account(s) is/are maintained and exchanged with tax authorities of another country or countries in which the Account Holder may be tax resident where those countries (or tax authorities in those countries) have entered into Agreements to exchange financial account information.**

I/We undertake to advise the recipient promptly and provide an updated Self-Certification where any change in circumstance occurs which causes any of the information contained in this form to be incorrect.

**Authorised Signature(s)\*:**

**Print Name(s)\*:**

**Capacity in which declaration is made\*:**

**Date: (dd/mm/yyyy):\*** \_\_\_\_\_

## APPENDIX 6

### Customer Information Notice – Common Reporting Standard

The ICAV intends to take such steps as may be required to satisfy any obligations imposed by (i) the Standard for Automatic Exchange of Financial Account Information in Tax Matters (“**the Standard**”) and, specifically, the Common Reporting Standard (“**CRS**”) therein or (ii) any provisions imposed under Irish law arising from the Standard or any international law implementing the Standard (to include the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information or the EU Council Directive 2011/16/EU (as amended by Council Directive 2014/107/EU)) so as to ensure compliance or deemed compliance (as the case may be) with the Standard and the CRS therein from 1 January 2016.

The ICAV is obliged under Section 891F of the Taxes Consolidation Act 1997 (as amended) and regulations made pursuant to that section to collect certain information about each Applicant’s tax arrangements.

In certain circumstances the ICAV may be legally obliged to share this information and other financial information with respect to an Applicant’s interests in the ICAV with the Irish Revenue Commissioners. In turn, and to the extent the account has been identified as a Reportable Account, the Irish Revenue Commissioners will exchange this information with the country of residence of the Reportable Person(s) in respect of that Reportable Account.

In particular, the following information will be reported by the ICAV to the Irish Revenue Commissioners in respect of each Reportable Account maintained by the ICAV;

- The name, address, jurisdiction of residence, tax identification number and date and place of birth (in the case of an individual) of each Reportable Person that is an Account Holder of the account and, in the case of any Entity that is an Account Holder and that, after application of the due diligence procedures consistent with CRS is identified as having one or more Controlling Persons that is a Reportable Person, the name, address, jurisdiction of residence and tax identification number of the Entity and the name, address, jurisdiction of residence, TIN and date and place of birth of each such Reportable Person.
- The account number (or functional equivalent in the absence of an account number);
- The account balance or value as of the end of the relevant calendar year or other appropriate reporting period or, if the account was closed during such year or period, the closure of the account;
- The total gross amount paid or credited to the Account Holder with respect to the account during the calendar year or other appropriate reporting period with respect to which the Reporting Financial Institution is the obligor or debtor, including the aggregate amount of any redemption payments made to the Account Holder during the calendar year or other appropriate reporting period;
- the currency in which each amount is denominated.

Please note that in certain limited circumstances it may not be necessary to report the tax identification number and date of birth of a Reportable Person.

In addition to the above, the Irish Revenue Commissioners and Irish Data Protection Commissioner have confirmed that Irish Financial Institutions (such as the ICAV) may adopt the “wider approach” for CRS. This allows the ICAV to collect data relating to the country of residence and the tax identification number from all non-Irish resident Applicants.

The ICAV can send this data to the Irish Revenue Commissioners who will determine whether the country of origin is a Participating Jurisdiction for CRS purposes and, if so, exchange data with them. Revenue will delete any data for non-Participating Jurisdictions.

The Irish Revenue Commissioners and the Irish Data Protection Commissioner have confirmed that this wider approach can be undertaken for a set 2-3 year period pending the resolution of the final CRS list of Participating Jurisdictions.

Applicants can obtain more information on the ICAV’s tax reporting obligations on the website of the Irish Revenue Commissioners (which is available at <http://www.revenue.ie/en/business/aeoi/index.html>) or the following link in the case of CRS only: <http://www.oecd.org/tax/automatic-exchange/>.

All capitalised terms above, unless otherwise defined above, shall have the same meaning as they have in the Standard.

## Appendix 7 – Data Protection Notice

In accordance with the General Data Protection Regulation (697/2016/EU) (the “**GDPR**”) and applicable Irish data protection legislation (currently the Irish Data Protection Acts 1988 to 2018 as may be amended from time to time) (collectively, “**Data Protection Legislation**”), **KBI Funds ICAV** (the “**ICAV**”) being a data controller, must provide you with information on how the personal data that you provide as part of your subscription to shares in the ICAV will be processed by the ICAV, its service providers and delegates and their duly authorised agents and any of their respective related, associated or affiliated companies.

Where your details are provided to the ICAV as a consequence of your investment in the ICAV, then the ICAV, acting as a data controller may itself, or through a third party including but not limited to Northern Trust International ICAV Administration Services (Ireland) Limited acting in its capacity as the ICAV’s administrator (the “**Administrator**”) or KBI Global Investors Ltd acting in its capacity as the ICAV’s investment manager (the “**Investment Manager**”) or through any other service provider acting on behalf of the ICAV, process your personal information or that of your directors, officers, employees and/or beneficial owners.

When processing your personal information, there may also be times where the Administrator or the Investment Manager will act as a data controller. In circumstances where the Administrator or the Investment Manager acts as a data controller in respect of the information that has been provided to it by you or the ICAV, all rights afforded to you as a data subject under the GDPR shall be exercisable by you solely against the Administrator or the Investment Manager as applicable. In connection with this, please note the following:

### Purposes of Processing and Legal basis for processing

Your personal data may be processed by the ICAV or the Administrator (or any of their affiliates, agents, employees, delegates or sub-contractors) for the following purposes:

- to facilitate the opening of your account with the ICAV, the management and administration of your application for Shares and your holdings in the ICAV and any related account on an on-going basis (the “**Services**”) which are necessary for the performance of your contract with the ICAV, including without limitation the processing of redemption, conversion, transfer and additional subscription requests and the payment of distributions;
- in order to carry out anti-money laundering checks and related actions which the ICAV considers appropriate to meet any legal obligations imposed on the ICAV or the Administrator relating to, or to pursue the ICAV’s legitimate interests in relation to, the prevention of fraud, money laundering, terrorist financing, bribery, corruption, tax evasion and to prevent the provision of financial and other services to persons who may be subject to economic or trade sanctions, on an on-going basis, in accordance with the ICAV and the Administrator’s anti-money laundering procedures;
- to report tax related information to tax authorities in order to comply with a legal obligation;
- to monitor and record calls and electronic communications for (i) processing and verification of instructions, (ii) investigation and fraud prevention purposes, (iii) for crime detection, prevention, investigation and prosecution, (iv) to enforce or defend the ICAV and its affiliates’, itself or through third parties to whom it delegates such responsibilities or rights in order to comply with any legal obligation imposed on the ICAV, (v) to pursue the ICAV’s legitimate interests in relation to such matters;

- to disclose information to other third parties such as service providers of the ICAV, auditors, regulatory authorities and technology providers in order to comply with any legal obligation imposed on the ICAV or in order to pursue the legitimate interests of the ICAV;
- to monitor and record calls for quality, business analysis, training and related purposes in order to pursue the legitimate interests of the ICAV to improve its service delivery;
- to update and maintain records and fee calculation;
- to retain AML and other records of individuals to assist with the subsequent screening of them by the Administrator including in relation to other funds or clients of the Administrator in pursuance of the Administrator's and its clients' legitimate interests;

and which are necessary to comply with the ICAV or the Administrator's legal obligations and/or which are necessary for the ICAV or the Administrator's legitimate interests indicated above.

**Further information relating to any balancing test undertaken by the Administrator or the ICAV as applicable to rely on legitimate interests as a grounds in respect of such processing is available upon request. Please note that where personal data is processed for purposes of legitimate interests, you have a right to object to such processing and the ICAV and the Administrator will no longer process the personal data unless it can be demonstrated that there are compelling legitimate grounds for the processing which override your interests, rights and freedoms or for the establishment, exercise or defence of legal claims.**

Your personal data may also be processed by the Investment Manager for the following purposes;

- to carry out statistical analysis and market research;
- to engage in direct marketing whereby the Investment Manager and other entities within its group may send you information about other investment products or investment services by letter, by telephone, by email or by other reasonable means of communication.

Prior to any such processing by the Investment Manager taking place, the Investment Manager will seek your consent to allow such processing.

### **Undertaking in connection with other parties**

By accepting to provide personal data to the ICAV, you undertake to be authorised to disclose to the ICAV relevant information applicable to the beneficial owner of the investment, to your directors and authorised signatories and to persons that own, directly or indirectly, an interest in the ICAV. In this respect you confirm that you have provided these persons with all the information required under applicable data protection law, notably regarding their data protection rights, and received from these persons their authorisation for the processing and transfer of their personal data to us.

### **Recipients of Data and International Transfer of Data**

The ICAV may disclose your personal information as follows:

- to its service providers, including the Investment Manager, the Administrator, and their affiliates, and other third party service providers engaged by the ICAV in order to process the data for the above mentioned purposes;

- to competent authorities (including tax authorities), courts and bodies as required by law or requested or to affiliates for internal investigations and reporting.

The disclosure of personal information to the third parties set out above may involve the transfer of data to other jurisdictions outside the European Economic Area (**EEA**) in accordance with the requirements of the General Data Protection Regulation. Such countries which include the USA, India and the Philippines may not have the same data protection laws as your jurisdiction. The ICAV has authorised the Administrator as its agent to put in place Standard Contractual Clauses with relevant parties to whom personal data will be transferred. Please contact the Administrator for copies of the Standard Contractual Clauses that have been entered into on behalf of the ICAV.

### **Retention period**

The ICAV, the Investment Manager and the Administrator will retain your personal information for such period of time as may be required by Irish legal and regulatory requirements, being at least six years after the period of your investment has ended or the date on which you had your last transaction with the ICAV.

### **Data Subject Rights**

Please note that under the GDPR you have the following rights, in certain circumstances, in relation to your personal information. In each case, the exercise of these rights is subject to the provisions of the GDPR:

- Right to access your personal information.
- Right to rectify your personal information and the right to have any incomplete personal data completed.
- Right to restrict the use of your personal information (in certain specific circumstances).
- Right to request that your personal information is erased (in certain specific circumstances).
- Right to object to processing of your personal information (in certain specific circumstances).
- Right to data portability (in certain specific circumstances).

Where the ICAV or the Administrator requires your personal information to comply with AML or other legal requirements, failure to provide this information means the ICAV may not be able to accept you as an investor in the ICAV.

You have the right to lodge a complaint with a supervisory authority in the EU Member State of your habitual residence or place of work or in the place of the alleged infringement if you consider that the processing of personal data relating to you carried out by the ICAV or its service providers infringes the General Data Protection Regulation.

If you have any questions about the content of this notice please contact the Administrator at KBI\_TA@ntrs.com or the Investment Manager at +353 1438 4400.