



**Orchard Funds Public Limited Company**

**Application Form A & B Share Classes**

For assistance in completing this form, please contact either:

CACEIS Ireland Limited at +353 1672 1600 or MitonOptimal Portfolio Management (CI) Limited at +44 1481 740044

**IMPORTANT INFORMATION:**

1. Completed forms should be sent by fax or via email as a PDF attachment along with all additional documents required in Appendix A of this document. The application must be received by 12pm (Irish time) on the relevant dealing day.

**FAX OR EMAIL THIS COMPLETED FORM TO:**

CACEIS Ireland Limited

Attention: Manager, Shareholder Services

+353 1790 0461

FB-REG-IRELAND2@CACEIS.COM

2. Failure to provide the documents mentioned in point 1 above may result in:

- A delay to the acceptance and/or payment of a redemption request. No redemption, conversion or transfer requests will be processed unless all documentation requested at the time of application for Shares (including anti-money laundering information) has been obtained and all anti-money laundering procedures have been completed.
- Any amendments to an investor's registration details or payment instructions will only be effected on receipt of the confirmation documentation.
- In accordance with the Financial Regulator's requirement, redemptions will not be processed on non-compliant /non-verified accounts.

3. Payment for shares applied for should be made by electronic transfer to the appropriate bank account listed on Appendix B and cleared subscription monies must be received for value on the same day as the application form.

5. To be valid, Subscription Forms must be signed by each Applicant/Authorised Signatory. In the case of a Corporate body/entity (not a Limited Company), the Subscription Form should be completed in the name(s) of and signed by the Proprietor(s)/Beneficial Owner(s) or other suitably authorised person(s). A Corporation should execute this Subscription Form under Seal or under the hand of a duly Authorised Person who should state his/her capacity and furnish a certified copy of the authority pursuant to which such person is authorised.

6. The Fund prospectus and supplement and KIID's are available free of charge from the Investment Manager, the Distributor and the Administrator or can be downloaded from [www.mitonoptimal.com](http://www.mitonoptimal.com).

7. Should any information provided in the Application Form change in the future, please ensure you advise us of the changes promptly.

**Section 1 - Investor Details**

**Please confirm by circling in which capacity you are executing this application**

Individual / Joint (Natural Persons)

Company / Designated Person / Nominee Company with Designated Person Parent/Intermediary / Trust / Partnership / Fund / Pension / Charity / Foundation

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Other (Please state capacity)

**First Applicant**

**Registration Details**

Title: please circle	Mr / Mrs / Miss / Ms / Other _____
Date of Birth	
Occupation/Profession:	
Email Address:	

Name:	
Nationality:	
Address:	

**Joint Applicants**

Title: please circle	Mr / Mrs / Miss / Ms / Other _____
Date of Birth	
Occupation/Profession:	
Email Address:	

Name:	
Nationality:	
Address:	

**Company / Designated Person / Nominee/ Intermediary / Trustee / Partnership / Other Name:**

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Country of Incorporation /Domicile/Proper Law:	
Regulated:	Y / N
Registered Address: <i>(No PO Box numbers are permitted for registered address)</i>	
Email Address:	

Registered/Company Number:	
Regulated Number:	
Correspondence Address:	

Name of Independent Financial Advisor (IFA)

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Do you want the IFA to receive copy investor statements: Yes / No - if Yes, please provide an email address above

**Entities only - Please complete Ownership Structure in Appendix F**

**Source of Wealth**

Please provide a detailed description of the source of wealth that has generated your total net worth including where, geographically, the wealth was generated. Supporting documentary evidence (certified) of the source of wealth must be provided for all individual, joint and trust accounts. We need this information in order to comply with our regulatory responsibilities.

**(Please circle accordingly):**

Own business or employment / Gift or Inheritance / Divestment / Sale of property or business / Savings / Other

Please provide further details:

**Investor Bank Account Details For Subscriptions/Redemptions/Dividends \*1**

Account Name:		Account Number:	
Swift/Sort Code:		IBAN:	
Name of Bank:		Bank Address:	
Correspondent Bank:			

*\*1 Subscriptions: Money must come from the account detailed above. Redemptions / Distribution Dividend Money will be paid to the account above. No Third Party payments will be made.*

**General Eligibility Representations and Elections**

Representation	Select one option
<b>Politically Exposed Person Status</b>	
(a) The Applicant confirms that the application is <b>not</b> being made by, on behalf of, for the benefit of, or to be transferred to a Politically Exposed Person ("PEP") / immediate family member of a PEP / close associate of a PEP/ a beneficial owner who is a PEP.	<input type="checkbox"/>
(b) The Applicant confirms that the application <b>is</b> being made by, on behalf of, for the benefit of, or to be transferred to a Politically Exposed Person ("PEP") / immediate family member of a PEP / close associate of a PEP/ a beneficial owner who is a PEP. Details to be provided below.	<input type="checkbox"/>

Name of PEP:		Address of PEP:	
Office of PEP:		Relationship of the Applicant or the Applicant's Beneficial owner to PEP:	
Source of wealth of the Applicant: (e.g. income from employment, income from company business, inheritance, etc.)		Source of actual funds being invested: (e.g. savings, employment income, sale of assets, etc.)	

Further information on the definition of a PEP in Appendix C.

## **Section 2 - Investment Details**

Please enter the amount to purchase:

<b>(Accumulating) Initial Charge (A)</b>	GBP Amount: _____	<b>(Distributing) Initial Charge (B)</b>	GBP Amount: _____
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Each sterling share class, Class A and B qualifies for reporting fund status for UK tax purposes.

### **DIVIDEND PAYMENTS - B Share Class only**

Subject to the discretion of the Directors, dividends (if any) will be declared and paid on a quarterly basis.

Payment will be made by telegraphic transfer in the functional currency to the Shareholders Account or if the Shareholder opts for dividend reinvestment by ticking the box below, in which case such payment will be automatically reinvested in the purchase of Shares of the relevant class, for the account of the relevant Shareholder. Dividend payments will be credited to the applicant's bank account given in Section 1.

To avail of the dividend reinvestment option, please tick the box:

Subscription monies delivered by an investor to the Fund prior to the relevant Dealing Day are required to be sent by bank transfer to the account details in the Application Form. Provided that all documentation required by the Fund and the Administrator for anti-money laundering and customer identification purposes has been received, subscriptions will be processed and Shares in the Fund issued on the relevant Dealing Day. Subscriptions will not be processed and Shares will not issue until all anti-money laundering documentation has been received [and cleared funds have been received]. Accordingly, subscription monies received prior to the Dealing Day will not be subject to the Investor Money Regulations 2015 or any equivalent client asset protection regime and shall not form part of the assets of the Fund/relevant Sub-Fund until transferred to the Fund/Sub-Fund's account. Accordingly, Investors should note that prior to transfer to the Fund/Sub-Fund account, Investors may be exposed to the creditworthiness of the relevant credit institution where subscription monies are held and neither the Directors nor the Fund shall have any fiduciary duties to the investor in respect of such monies.

In the event of the failure or a delay on the part of the investor in the settlement of subscription proceeds owed to the Fund, the Fund reserves the right to charge the relevant Shareholder for any interest or other costs incurred by the Fund arising from such delay or failure to settle subscription monies on time including any costs associated with temporary borrowing. If the Shareholder fails to reimburse the Fund for those charges, the Fund will have the right to sell all or part of the investor's holdings of Shares in the Fund in order to meet those charges and/or to pursue that Shareholder for such charges. Further, the Fund reserves the right to reverse any allotment of Shares in the event of a failure by an applicant to settle the subscription monies on a timely basis. In such circumstances, the Fund shall compulsorily redeem any Shares issued and the Shareholder shall be liable for any loss suffered by the Company in the event of any shortfall arising from the redemption proceeds.

Any failure to supply the Fund or the Administrator with any documentation requested by them for anti-money laundering or client identification purposes will result in a delay in the settlement of redemption proceeds. In such circumstances, the Administrator will process any redemption request received by a Shareholder. Upon redemption, the Shares of the redeemed Shareholder will be cancelled and the Shareholder will be treated as an unsecured creditor of the Fund. However the proceeds of that redemption shall remain an asset of the Fund and the redeeming investor will rank as an unsecured creditor of the Fund until such time as the Administrator is satisfied that its anti-money-laundering and anti-fraud procedures have been fully complied with, following which redemption proceeds will be released. In the event of the insolvency of the Fund before such monies are transferred from the Fund's account to the redeeming investor, there is no guarantee that the Fund will have sufficient funds to pay its unsecured creditors in full. Investors who are due redemption proceeds, which are held in the Fund's account, will rank equally with other unsecured creditors of the relevant Fund and will be entitled to pro-rata share of any monies made available to all unsecured creditors by the insolvency practitioner.

Accordingly, Shareholders and investors should ensure that all documentation required by the Fund or administrator to comply with anti-money laundering and anti-fraud procedures are submitted promptly to the Fund/Administrator when subscribing for Shares.

Any failure to supply the Fund or the Administrator with any documentation requested by them for anti-money laundering or client identification purposes, as described above, will result in a delay in the settlement of dividend payments. In such circumstances, any sums payable by way of dividend to Shareholders shall remain an asset of the Fund until such time as the Administrator is satisfied that its anti-money-laundering and client identification purposes have been fully complied with, following which such dividend will be paid. In the event of the insolvency of the Fund before such monies are transferred to the Shareholder there is no guarantee that the Fund will have sufficient funds to pay its unsecured creditors in full. Investors who are due dividend proceeds, which are held in the Fund's account, will rank equally with other unsecured creditors of the Fund and will be entitled to pro-rata share of any monies made available to all unsecured creditors by the insolvency practitioner.

The subscriber hereby confirms that subscription monies delivered by him/her to the Fund prior to the relevant Dealing Day, are not to be held on trust for the subscriber by the Fund. The subscriber accordingly acknowledges that such monies shall not be subject to the Investor Money Regulations 2015 or to any equivalent client asset protection account and that the subscribers may be exposed to the creditworthiness of the relevant credit institution where such subscription monies are held. The subscriber hereby acknowledges and agrees that in such circumstances neither the Fund, the Administrator nor the Depositary shall have any liability or responsibility for any loss of such monies prior to the transfer of such monies to the Fund's account. The subscriber hereby acknowledges 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 the subscriber fails to submit the necessary documentation requested by the Fund or its delegate as required under the AML Requirements, redemption monies or dividend monies will be held in the Fund/relevant Sub-Fund's account and shall remain an asset of the Fund/ relevant Sub-Fund and the subscriber 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, the subscriber acknowledges that it/they will be unsecured creditors of the Fund/relevant Sub-Fund in respect of such redemption monies or dividend payments until such time as the relevant documentation required by the Fund has been received to its satisfaction and the redemption monies/dividend payments have been paid to the subscriber.

In the event that Shares are allotted/issued notwithstanding that cleared funds have not been received within the usual time limits by the Fund as set out in the Prospectus, the subscriber acknowledges that the Fund may cancel the allotment/issue of my/our Shares and I/we will be liable to pay to the Fund interest at such rate as may be determined by the Directors from time to time and/or other losses, charges or expenses suffered or incurred by the Fund, the Depositary or their delegates as a result of late payment or non-payment by me/us of subscription monies.

### **Section 3 - General Representations**

(i) I or we, the undersigned declare that I am or we are over the age of 18, not a US Person as defined in the Prospectus, not an ERISA or Benefit Plan Investor, and that I am or we are not acting on behalf of a US Person(s) nor do I or we intend selling or transferring any Shares which I or we may purchase to any person who is a US Person.

(ii) I or we, warrant that I or we have the right and authority to make the investment pursuant to this Application Form whether the investment is my or our own or is made on behalf of another person or entity and that I or we will not be in breach of any laws or regulations of any competent jurisdiction and I or we hereby indemnify the Company, the Administrator and other shareholders for any loss suffered by them as a result of this warranty/representation not being true in every respect.

(iii) I or we, agree to provide the representations in this Application Form to the Company on an annual basis at the request of the Administrator or the Company and at such other times as the Administrator or the Company may request and to provide on request such certificates, documents or other evidence as the Company may reasonably require to substantiate such representations.

(iv) I or we, agree to notify the Company immediately if I or we become aware that any of the representations are no longer accurate and complete in all respects and, if deemed necessary by the Company at its absolute discretion, agree immediately to sell or to tender to the Company for redemption a sufficient number of Shares to allow the representation to be made.

(v) I or we, hereby confirm that the Company, the Directors and the Administrator are each authorised and instructed to accept and execute any instructions in respect of the Shares to which this application relates given by me or us by facsimile. If instructions are given by me or us by facsimile, I or we undertake to confirm them in writing. I or we hereby indemnify the Company, the Directors and the Administrator and agree to keep each of them indemnified, against any loss of any nature whatsoever arising to each of them as a result of any of them acting on facsimile instructions. The Company, the Directors and the Administrator may rely conclusively upon and shall incur no liability in respect of any action taken upon any notice, consent, request, instructions or other instrument believed, in good faith, to be genuine or to be signed by properly authorised persons.

(vi) I or we, having received and considered a copy of the Prospectus, hereby confirm that this application is based solely on the Prospectus together (where applicable) with the most recent annual report and accounts of the Company and (if issued after such report and accounts) its most recent unaudited semi-annual report.

(vii) I or we, apply to be entered in the Register of the Shareholders as the holder/holders of the Shares issued in relation to this application.

(viii) I or we, hereby acknowledge that by signing and submitting this Application Form, I or we will be applying irrevocably for Shares in the Company all subject to the terms of the Prospectus (which I or we have read in full and understood) and the Memorandum and Articles of the Fund.

(ix) I or we acknowledge that it is a pre-condition to acceptance of this application that I or we have received the latest available KIID in respect of the Share Class/Sub-Fund in which I am or we are investing in.

(x) Prior to making this application I or we have received free of charge and read the latest available KIID in respect of the relevant Share Class and Sub-Fund.

(xi) I or we acknowledge that this application is made on the terms of the Prospectus (including the relevant Sub-Fund Supplement), and material contracts referred to therein the relevant KIID together (where applicable) (which I or we have read in full and understood) with the most recent annual report and accounts of the Company and (if issued after such report and accounts) its most recent unaudited half yearly report and subject to the provisions of the Company's Constitution from time to time in force.

(xii) I or we, warrant that (1) I am or we are not, and the Shares applied for will not, be held for the benefit of a US person (as defined in Regulation S under the United States Securities Act of 1933, as amended) and (2) I or we will fall within the category of persons described in Article 11(3) of the United Kingdom Financial Services Act 1986 (Investment Advertisements) (Exemptions) Order 1996 or (3) I am or we are a person who may otherwise lawfully subscribe for Shares in the Fund.

(xiii) I or we confirm that I or we have received a copy of Appendix E – Data Protection Notice and that I or we have read and fully understand all of the information it contains. To the extent that the information contained in this Application Form, or any other information that I or we provide to the Company in connection with my or our investment, relates to another identifiable individual on whose behalf I or we are applying for Shares, I or we also confirm that it has provided the information contained in Appendix E – Data Protection Notice to each such individual as required pursuant to Regulation (EU) 2016/679.

(xiv) I or we acknowledge that it is my or our responsibility to inform the Investment Manager of any changes in any personal information provided to the Investment Manager. I or we undertake that I or we will advise the recipient promptly and provide any additional information as may be required by law and/or an updated Self-Certification form within 30 days where any change in circumstances occurs which causes any of the information contained in this form to be incorrect. I or we acknowledge that the Investment Manager may also be required to disclose this information and other personal data to the tax authority(ies) of which I am or we are tax resident or the Irish Revenue Commissioners, and otherwise co-operate with formal requests from such tax authority(ies).

(xv) (Applicable to joint shareholdings only) We acknowledge that in the case of the death of a joint Shareholder, the survivor or survivors will be the only person or persons recognised by the Company as having any title to or interest in the Shares registered in the names of such joint Shareholders.

Please **do/do not** send me any further information on other products and services. [\* delete as appropriate.]

#### **Section 4 - EU Savings Directive Requirements**

##### **NATURAL PERSONS**

- I or we hereby declare that I am or we are making this investment on my or our own behalf and not on behalf of any other person or entity.
- I or we acknowledge that I or we will provide a certified copy of my or our Passport(s) or a national identity card(s), which must display a photograph and give details of my or our date and place of birth. I or we will also provide details of my or our tax identification number(s) if this does not appear on the Passport(s) or other identity card(s) provided. Documentary proof such as a certificate of tax residency from a relevant tax authority may also be required. These items are in addition to providing proof of my or our permanent resident residential address, which may be in the form of two address verification documents, which are no more than 6 months old.
- I or we agree to undertake to ensure all such information is up to date and will notify the Administrator of any change in the information provided as soon as reasonably possible.
- I or we agree to indemnify and hold harmless the Administrator in its capacity as "Paying Agent" against any loss liability costs or expenses, which may be incurred by the Administrator as a result of my or our failure to provide the information required. I or we acknowledge that Shares may not be issued and repurchase proceeds may be frozen until all required information and documentation required by the Administrator pursuant to the EU Savings Directive is provided.

## LEGAL PERSONS

We hereby declare that we are:-

- a legal person not being an individual and not acting in a representative capacity on behalf of an individual; or
- an entity liable to corporation tax in Ireland or an equivalent tax in another country; or
- an undertaking for collective investment in transferable securities ("UCITS") or have elected for the purpose of the EU Savings Directive to be treated as a UCITS.

**If the Legal Person is unable to make any of these declarations please contact the Administrator**

### **Section 5 - CERTIFICATION OF NON-US OR US STATUS (for purposes of the Foreign Account Tax Compliance Act ("FATCA"))**

#### Certification of non-US status

Please send to the Administrator together with your Application Form either: (i) the appropriate US Internal Revenue Service ("IRS") W-8 tax form; or (ii) a self-certification form (which can be found in Appendix D), completed and signed as required.

You hereby acknowledge that neither the Company, the Investment Manager nor the Administrator are tax advisors and that they are unable to advise on the completion of the forms.

### **Section 6 - Anti-Money Laundering Declarations**

1. I or we acknowledge that measures aimed at the prevention of money laundering will require verification of my or our identity, address and source of funds/wealth. I or we acknowledge that Shares will not be issued until such time as the Administrator has received and is satisfied with all the information and documentation requested to verify my or our identity and source of funds/wealth. I or we acknowledge that the Administrator shall be held harmless against any loss arising as a result of a failure to process my or our application for Shares if such information and documentation as has been requested by the Administrator has not been provided by me or us.
2. I or we acknowledge that the Fund or the Administrator also reserves the right to refuse to make any redemption payment or distribution to a Shareholder, (otherwise than to the account in the name of the Shareholders from a recognised financial institution from which the corresponding subscription funds were paid) if any of the Directors of the Fund or the Administrator suspects, or is advised, that the payment of any redemption or distribution monies to such Shareholder might result in a breach or violation of any applicable anti-money laundering, 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 Fund, its Directors or the Administrator with any such laws or regulations in any relevant jurisdiction.
3. I or we understand and agree that the Fund prohibits the investment of funds by any persons or entities that are acting, directly or indirectly, (i) in contravention of any applicable laws and regulations, including anti-money laundering regulations or conventions, (ii) on behalf of terrorists or terrorist organisations, including those persons or entities that are included on the List of Specially Designated Nationals and Blocked Persons maintained by the U.S. Treasury Department's Office of Foreign Assets Control ("OFAC"), as such list may be amended from time to time, (iii) for a senior foreign political figure, any member of a senior foreign political figure's immediate family or any close associate of a senior foreign political figure, unless the Fund, after being specifically notified by me or us in writing that I am or we are such a person, conducts further due diligence, and determines that such investment shall be permitted, or (iv) for a foreign shell bank (such persons or entities in (i) - (iv) are collectively referred to as "Prohibited Persons").
4. I or we represent, warrant and covenant that: (i) I am or we are not, nor is any person or entity controlling, controlled by or under common control with me or us, a Prohibited Person, and (ii) to the extent I or we have any beneficial owners, (a) I or we have carried out thorough due diligence to establish the identities of such beneficial owners, (b) based on such due diligence, I or we reasonably believe that no such beneficial owners are Prohibited Persons, (c) I or we hold the evidence of such identities and status and will maintain all such evidence for at least five years from the date of my or our complete redemption from the Fund, and (d) I or we will make available such information and any additional information that the Fund may require upon request.
5. If any of the foregoing representations, warranties or covenants ceases to be true or if the Fund no longer reasonably believes that it has satisfactory evidence as to their truth, notwithstanding any other agreement to the contrary, the Fund may be obligated to freeze my or our investment, either by prohibiting additional investments, declining or suspending any redemption requests and/or segregating the assets constituting the investment in accordance with applicable regulations, or my or our investment may immediately be redeemed by the Fund, and the Fund may also be required to report such action and to disclose my or our identity to OFAC

or other authority. In the event that the Fund is required to take any of the foregoing actions, I or we understand and agree that I or we shall have no claim against the Fund, the Investment Manager, the Administrator, and their respective affiliates, directors, members, partners, shareholders, officers, employees and agents for any form of damages as a result of any of the aforementioned actions.

6. I or we understand and agree that any redemption proceeds paid to me or us will be paid to the same account from which my or our investment in the Fund was originally remitted, provided always the account is in my or our name and with a recognised financial institution.
7. I or we agree to indemnify and hold harmless the Fund, 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.
8. *(Designated Bodies\*1 only)* I or we declare that I am or we are licensed as..... (description) by the..... (regulatory body) under the laws of ..... (country) and am or are thereby subject to regulations and/or guidelines which to the best of my or our knowledge and understanding are in accordance with the Financial Action Task Force Recommendations ("FATF") on the prevention of money-laundering. I or we attach independent verification of our licensed status. This application is made in my or our name on behalf of my or our clients whose identity has been properly verified by me or us in accordance with the guidelines. Evidence of such verification will be retained for such period as is required by the country or our domicile and will be promptly supplied to the Administrator or the Fund upon request. I or we are not aware of any legal impediment to our providing any such requested verification documentation. I or we confirm I or we will provide the Administrator with a letter of assurance in connection with these matters in a form acceptable to the Administrator.

**\*1 A Designated Body is an individual or other entity, which is regulated in respect of the provision of banking or investment services in a country, which is a member of the European Union or the Financial Action Task Force.**

9. (Individuals only) I or we declare that I am or we are a private investor(s) who is/are making this application on my or our own behalf and not in any way as representative(s) of any other party.

**Section 7 - Declaration of residence outside Ireland**

*(non-resident composite declaration)*

**Applicants resident outside Ireland are required by the Irish Revenue Commissioners to make the following declaration, which is in a format authorised by them, in order to receive payment without deduction of tax. 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.**

<b>Please tick one</b>	
<input type="radio"/>	<b>Declaration on own behalf</b>
<p>I or 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:</p> <ul style="list-style-type: none"> <li>• I am/we are/the company is* not currently resident or ordinarily resident in Ireland, and</li> <li>• Should I/we/the company* become resident in Ireland I or we will so inform you, in writing, accordingly.</li> </ul> <p>*Delete as appropriate</p>	
<input type="radio"/>	<b>Declaration on Intermediary</b>
<p>I/we* declare that I am/we are* applying for shares on behalf of persons:</p> <ul style="list-style-type: none"> <li>• who will be beneficially entitled to the shares; and</li> <li>• who, to the best of my/our* knowledge and belief, are neither resident nor ordinarily resident in Ireland.</li> </ul> <p>I/we* also declare that:</p> <ul style="list-style-type: none"> <li>• unless I/we* specifically notify you to the contrary at the time of application, each application for shares made by me/us* from the date of this application will be made on behalf of such persons; and</li> <li>• I/we* will inform you in writing if I/we* become aware that any person on whose behalf I/we* hold(s) shares, becomes resident in Ireland.</li> </ul> <p>* Delete as appropriate</p>	

IMPORTANT INFORMATION WHICH MUST BE READ



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 applicant must sign. In the case of a company, the declaration must be signed by the company secretary or other authorised officer.
3. If the application form (incorporating the declaration required by the Irish Revenue Commissioners) is signed under power of attorney, a duly certified copy of the power of attorney should be furnished in support of the signature detailing the scope and powers of such Power of Attorney.
4. If you are resident or ordinarily resident in Ireland or are an exempt resident as defined in the prospectus or are an Irish resident company within the charge to corporation tax, please contact the Administrator immediately.

### Section 8 – Irish Resident Entities Composite Declaration

Declaration referred to in Section 739D(6), Taxes Consolidation Act 1997

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	
A PRSA Administrator		A credit union within the meaning of section 2 of the Credit Union Act 1997	
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)			

#### 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 the 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 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.

**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)

Title: (Mr/Ms. Etc.) \_\_\_\_\_

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

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

**IMPORTANT NOTES WHICH MUST BE READ**

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.

**Signature(s)** (All applicants must sign)

**All applicants MUST sign below for this Application Form to be valid. Thereafter, the Fund will only accept any instructions in respect of your Shares (including, without limitation, in respect of redemption instructions) given by all of you.**

Date: _____		
Signed:	Name:	Capacity of authorised signatory: (if applicable)
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

**Section 9 – Data Protection – Customer Information Notice**

The Common Reporting Standard (CRS), formally referred to as the Standard for Automatic Exchange of Financial Account Information, is an information standard for the automatic exchange of Information (AEOI), developed in the context of the Organisation for Economic Co-Operation and Development (OECD).

The standard requires that Financial Institutions in participating jurisdictions gather certain information from account holders (and, in particular situations, also collect information in relation to relevant Controlling Persons of such account holders).

Under CRS account holder information (and, in particular situations, information in relation to relevant Controlling Persons of such account holders) is to be reported to the relevant tax authority where the account is held, which, if a different country to that in which the account holder resides, will be shared with the relevant tax authority of the account holder’s resident country, if that is a CRS-participating country.

Information that may be reported includes name, address, date of birth, place of birth, account balance, any payments including redemption and dividend/interest payments, Tax Residency(ices) and TIN(s).

Further information is available on the OECD website: <http://oecd.org/tax/automatic-exchange/> and on the Irish Revenue website – <http://www.revenue.ie/en/business/aeoi/>.

## Appendix A – Anti Money Laundering Requirements

### Individual/Joint Account (Natural Person(s))

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Source of Wealth Declaration Form and the supporting documentation for the Source of Wealth (certified copy). Please complete "Source of Wealth section on page 3 of application form. i.e. own business or employment: audited financial statements for the business or bank account statements for the employment; salary: payslips; savings: bank account statements; divestment: proof of sale of the investment; inheritance: probate and will; sale of property or business: sale agreement of the property/business.
3. Authorised Signatory List, if applicable (certified copy).
4. One Personal Identity document (certified copy). The documents must be within expiry date and show the photograph, full name, date of birth and signature.
5. One proof of residential address (certified copy). Acceptable address verification documents are the original or certified copies of any two of the following: electricity bill, gas bill, water bill, telephone bill, cable television bill, bank statement or credit card statement, social insurance documents, household/ motor insurance certificates, statement for tax/revenue. Documents must originate from a different source, show the full name and residential address of the individual and must be dated within six months of submission. Please note that mobile phone bills are not admissible.
6. FATCA/CRS Certification (if applicable) (Appendix D).

### Designated Person

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Confirmation of Name and Address (copy).
3. Confirmation of Regulatory Authorisation (copy).
4. Letter of Assurance or a Letter of Comfort (if acting as an intermediary) (copy).
5. Authorised Signatory List (certified copy).
6. Valid ID documents for two Authorised Signatories on the account (certified copy) (as per the requirements for individuals).
7. Beneficial Ownership / Controlling Party Identification Form – if acting as an Intermediary. (Appendix F)

*To note, the Beneficial Ownership Form is not required, if the Designated Person is located in a Risk Level 1 Country and listed on a recognised Stock Exchange. (Please refer to administrator).*

A list of all shareholders holding 25% or more of the issued share capital of the company.

- Requirement when the shareholder is a company:
  1. Certified copy of the Certificate of Incorporation.
- Requirement for individual shareholders (Ultimate Beneficial Owner):
  1. Certified copy of a personal identification document.
  2. Certified copy of proof of residential address.

*The requirements for individuals as in point 1 and 2 above: applies to Designated Persons in Risk Level 2/Risk Level 3 and Risk Level 4 Countries. For Designated Persons in a Risk Level 1 Country, we do not require a personal identification document and a proof of address for individual ultimate beneficial owners.*

8. FATCA/CRS Certification (if applicable). (Appendix D)

### Nominee Company with Designated Person Parent/Intermediary

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Confirmation of Registered Name and Address (copy).
3. Memorandum & Articles of Association (copy).
4. Certificate of Incorporation or equivalent (copy).
5. List of Directors (copy).
6. Authorised Signatory List (certified copy).
7. Valid ID documents for two Authorised Signatories on the account (certified copies) (as per the requirements for individuals).
8. Beneficial Ownership / Controlling Party Identification Form (Appendix F).

*To note, the Beneficial Ownership Form is not required, if the Designated Person is located in a Risk Level 1 Country and listed on a recognised Stock Exchange. (Please refer to administrator).*

A list of all shareholders holding 25% or more of the issued share capital of the company.

- Requirement when the shareholder is a company:
  1. Certified copy of the Certificate of Incorporation.
- Requirement for individual shareholders (Ultimate Beneficial Owner):
  1. Certified copy of a personal identification document.
  2. Certified copy of proof of residential address.

9. FATCA/CRS Certification (if applicable) (Appendix D).

**Non Regulated Entity in a Low Risk Country (Risk Level 1)**  
**Regulated / Non Regulated Entity in a Medium Risk Country (Risk Level 2)**  
**Regulated / Non Regulated Entity in a High Risk Country (Risk Level 3)**

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Confirmation of Registered Name and Address (copy).
3. Certificate of Incorporation or Certificate to Trade (certified copy).
4. Memorandum & Articles of Association (certified copy).
5. List of Directors' full names, occupations, residential and business addresses and dates of birth (certified copy).
6. Valid ID documents for at least two directors (certified copies) (as per the requirements for individuals).
7. Authorised Signatory List (certified copy).
8. Valid ID documents for two Authorised Signatories on the account (certified copies) (as per the requirements for individuals).
9. Beneficial Ownership / Controlling Party Identification Form (Appendix F).  
*To note, the Beneficial Ownership Form is not required, if the Designated Person is located in a Risk Level 1 Country and listed on a recognised Stock Exchange. (Please refer to administrator).*  
A list of all shareholders holding 25% or more of the issued share capital of the company.
  - Requirement when the shareholder is a company:
    1. Certified copy of the Certificate of Incorporation.
  - Requirement for individual shareholders (Ultimate Beneficial Owner):
    1. Certified copy of a personal identification document.
    2. Certified copy of proof of residential address.
10. The latest annual report (copy).
11. FATCA/CRS Certification (if applicable) (Appendix D).

**Trust**

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Confirmation of Name and Address (copy).
3. Trust Deed (certified copy).
4. List of Trustees (certified copy).
5. If Trustee(s) is/are individuals - Valid ID documents (certified copies) (as per the requirements for individuals).
6. Authorised Signatory List (certified copy).
7. Valid ID documents for two Authorised Signatories on the account (certified copies) (as per the requirements for individuals).
8. Beneficial Ownership / Controlling Party Identification Form (Appendix F).  
A list of all beneficiaries who have a vested interest in the trust.
  - Requirement when the beneficiary is a company:
    1. Certified copy of the Certificate of Incorporation (certified copy).
    2. Share Register (certified copy).
  - Requirement for individual beneficiaries:
    1. Certified copy of a personal identification document.
    2. Certified copy of proof of residential address.
9. FATCA/CRS Certification (if applicable) (Appendix D).

**The Settlor**

1. Entity – Certificate of Incorporation and Share Register (certified copy).
2. Individual - Valid ID documents (certified copies) (as per the requirements for individuals).

**The Protector (if applicable)**

1. Confirmation of Name and Address.
2. Authorised Signatory List (certified copy), if applicable.
3. If Protector is an individual - Valid ID documents (certified copies) (as per the requirements for individuals).

**Partnerships**

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Confirmation of Registered Name and Address (copy).
3. Proof of Registration or equivalent (certified copy).
4. Partnership Agreement (certified copy).
5. List of Partners' full names, occupations, residential and business addresses and dates of birth (certified copy).
6. Valid ID documents for at least two partners (certified copies) (as per the requirements for individuals).
7. Authorised Signatory List (certified copy).
8. Valid ID documents for two Authorised Signatories on the account (certified copies) (as per the requirements for individuals).
9. Beneficial Ownership / Controlling Party Identification Form (Appendix F).  
A list of all partners.

- Requirement when the partner is a company:
    1. Certified copy of the Certificate of Incorporation.
  - Requirement for individual partners (Ultimate Beneficial Owner):
    1. Certified copy of a personal identification document.
    2. Certified copy of proof of residential address.
10. FATCA/CRS Certification (if applicable) (Appendix D).

**Pension**

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Constitutional Documents / Pension Rules / Pension Plan (certified copy).
3. Certificate of Incorporation of Pension manager, if applicable. (if non-regulated or not covered by AML parent letter) (certified copy).
4. Proof of regulation of Pension Manager (copy).
5. List of Directors' for the Pension Company (certified copy).
6. Valid ID documents for at least two Directors (certified copies) (as per the requirements for individuals).
7. Authorised Signatory List (certified copy).
8. Valid ID documents for two Authorised Signatories on the account (certified copies) (as per the requirements for individuals).
9. Beneficial Ownership / Controlling Party Identification Form (Appendix F).  
A list of all shareholders holding 25% or more of the issued share capital of the company.
  - Requirement when the shareholder is a company:
    1. Certified copy of the Certificate of Incorporation.
  - Requirement for individual shareholders (Ultimate Beneficial Owner):
    1. Certified copy of a personal identification document.
    2. Certified copy of proof of residential address.
10. Company's latest audited Annual Report (certified copy).
11. FATCA/CRS Certification (if applicable) (Appendix D).

**Charity**

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Confirmation of Name and Address (copy).
3. Confirmation of charity Registration (certified copy).
4. Proof of regulation (copy).
5. Memorandum and Articles of Association or equivalent (certified copy).
6. Certificate of Incorporate or equivalent (certified copy).
7. List of Directors/Trustees/Governors/Committee members or equivalent.
8. Valid ID documents for at least two Directors/Trustees/Governors/Committee members or equivalent (certified copies) (as per the requirements for individuals).
9. Authorised Signatory List (certified copy).
10. Valid ID documents for two Authorised Signatories on the account (certified copies) (as per the requirements for individuals).
11. Beneficial Ownership / Controlling Party Identification Form (Appendix F).  
A list of all shareholders (holding 25% or more of the issued share capital of the company) / beneficiaries with a Vested Interest / Controllers.
  - Requirement when the beneficial owner / controlling Party is a company:
    1. Certified copy of the Certificate of Incorporation.
  - Requirement for individual beneficial owners (Ultimate Beneficial Owner) / controlling parties:
    1. Certified copy of a personal identification document.
    2. Certified copy of proof of residential address.
12. Company's latest audited Annual Report (certified copy).
13. FATCA/CRS Certification (if applicable) (Appendix D).

**Fund - Regulated**

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Confirmation of Registered Name and Address (copy).
3. Confirmation of Regulation (certified copy).
4. Fund Prospectus (certified copy).
5. Authorised Signatory List (certified copy).
6. Valid ID documents for two Authorised Signatories on the account (certified copies) (as per the requirements for individuals).

7. Certificate of Incorporate or equivalent (certified copy).
8. List of Directors (certified copy).
9. Valid ID documents for at least two Directors (certified copies) (as per the requirements for individuals).
10. AML Letter of Assurance from entity responsible for the KYC of the fund or from the MLRO of the Fund.
11. List of Authorised Signatories of the entity responsible for the KYC supervision of the Fund, if applicable (certified copy).
12. Beneficial Ownership / Controlling Party Identification Form (Appendix F).  
A list of all shareholders holding 25% or more of the issued share capital of the company.
  - Requirement when the shareholder is a company:
    1. Certified copy of the Certificate of Incorporation.
  - Requirement for individual shareholders (Ultimate Beneficial Owner):
    1. Certified copy of a personal identification document.
    2. Certified copy of proof of residential address.
13. Latest audited Annual Report (Certified copy).
14. FATCA/CRS Certification (if applicable) (Appendix D).

#### **Foundation**

1. Fund Application Form including Bank Details and Tax Revenue Declarations (copy).
2. Confirmation of Name and Address (copy).
3. Constitutional Foundation Charter/Document for the Foundation (certified copy).
4. Authorised Signatory List (certified copy).
5. Valid ID documents for two Authorised Signatories on the account (certified copies) (as per the requirements for individuals).
6. List of Council Members (certified copy).
7. Valid ID documents for at least two Council Members (certified copies) (as per the requirements for individuals).
8. Beneficial Ownership / Controlling Party Identification Form (Appendix F).  
A list of all beneficiaries with a vested interest.
9. Requirement when the beneficiary is a company:
10. Certified copy of the Certificate of Incorporation.
11. Requirement for individual beneficiaries (Ultimate Beneficial Owner):
12. Certified copy of a personal identification document.
13. Certified copy of proof of residential address.
14. Latest Annual Report (Certified copy).
15. FATCA/CRS Certification (if applicable) (Appendix D).

#### **The Founder/Guardian/Protector (if applicable)**

1. Entity – Certificate of Incorporation and Share Register (certified copy).
2. Individual - Valid ID documents (certified copies) (as per the requirements for individuals).

Note: The Administrator may request from the Applicant such additional information to enable the Administrator to determine the Applicant's compliance with applicable regulatory requirements or the Applicant's anti-money laundering verification status and the Applicant shall provide to the Administrator from time to time such information as may reasonably be requested. Each person acquiring Shares in the Fund must satisfy the foregoing both at the time of subscription and at all times thereafter until such person ceases to be a Shareholder. Accordingly, the Applicant agrees to notify the Administrator promptly if there is any change with respect to any of the foregoing information, declarations or representations and to provide the Administrator with such further information as the Administrator may reasonably require.

#### **CERTIFICATION STANDARDS**

The standard requires that a statement such as "I confirm that this is a true copy of the original document, which was seen by me", is written on the document. The certifier should also include the detail of the capacity in which they are signing the document. Self-Certification (i.e. a person certifying a copy his own passport) is NOT permitted.

The following are generally accepted to certify documents: - a notary public / solicitor, an accountant, a police officer, embassy staff, a member of the judiciary, a bank official, a suitably senior employee of another regulated financial institution or any regulated entity permitted to provide certification services.

#### **DOCUMENTS IN ANOTHER LANGUAGE:**

If the document is not in English, relevant details may need to be translated and, if this is the case, the certification should also include a statement that the translation is a true translation.

#### **ONGOING MONITORING:**

The Administrator is required to carry out ongoing monitoring to confirm that information previously provided remains valid and correct, hence, the Administrator reserves the right to request updated and in some cases further documentation if deemed necessary.

## Appendix B – Payment Details

Payment by telegraphic transfer. The Directors reserve the right to defer acceptance of such applications until monies are cleared.

### GBP (Pound Sterling)

Correspondent Bank:	HSBC Bank Plc
Beneficiary Bank:	CACEIS Bank, Ireland Branch
Sort Code:	40-05-15
Beneficiary Swift Code:	ISAEIE2D
Reference:	Orchard Funds PLC - (Investor Name(s))

Correspondent Bank Swift Code:	MIDLGB22
Bank Account number:	76888255
Beneficiary Name:	CAILDB/Orchard Funds plc a/c
IBAN:	GB56MIDL40051576888255

The remitter should instruct the remitting bank to send a SWIFT advice (format MT 103) to CACEIS Bank, Ireland Branch (SWIFT Address: MIDLGB22) advising details of remittance, including the name of applicant(s), for ease of identification.

### EURO

Intermediary Bank:	Credit Agricole S.A Paris
Beneficiary Bank:	CACEIS Bank Luxembourg (BSUILULL)
IBAN:	FR7630006000012009280600085

Swift:	AGRIFRPP
Beneficiary Name:	CAILDB/Orchard Funds plc a/c
Reference:	Orchard Funds PLC - (Investor Name(s))

The remitter should instruct the remitting bank to send a SWIFT advice (format MT 103) to CACEIS Bank Luxembourg (SWIFT Address: AGRIFRPP) advising details of remittance, including the name of applicant(s), for ease of identification.

### US Dollars

Correspondent Bank:	JP Morgan Chase Bank, New York
CHIPS No:	0002 ABA: 021 000 021
Beneficiary Bank:	CACEIS Bank, Ireland Branch
Beneficiary Swift Code:	ISAEIE2D

Correspondent Bank Swift Code:	CHASUS33
Account number:	826213360
Beneficiary Name:	CAILDB/Orchard Funds plc a/c
Reference:	Orchard Funds PLC - (Investor Name(s))

The remitter should instruct the remitting bank to send a SWIFT advice (format MT 103) to CACEIS Bank, Ireland Branch (SWIFT Address: CHASUS33) advising details of remittance, including the name of applicant(s), for ease of identification.

### CHF

Correspondent Bank:	UBS Zurich
Beneficiary Bank:	CACEIS Bank, Ireland Branch
Account Number:	02300000059902050000X
Beneficiary Swift Code:	ISAEIE2D

Correspondent Bank Swift Code:	UBSWCHZH80A
IBAN No:	CH890023023005990205X
Beneficiary Name:	CAILDB/Orchard Funds plc a/c
Reference:	Orchard Funds PLC - (Investor Name(s))

The remitter should instruct the remitting bank to send a SWIFT advice (format MT 103) to UBS Zurich (SWIFT Address: UBSWCHZH80A) advising details of remittance, including the name of applicant(s), for ease of identification.

*Any bank charges in respect of telegraphic transfers or otherwise will be deducted from the amount or value of subscriptions and the net amount invested in Shares, unless otherwise requested by the remitting bank.*



## Appendix C – Politically Exposed Persons

### TO BE READ BY ALL INVESTORS

The following information provides the definition of a Politically Exposed Person.

Investors should complete section 1 where the PEP rules apply with reference to the following definitions.

Politically-Exposed Person ("**PEP**") is an individual who has, at any time in the preceding 12 months, been entrusted with a prominent public function. This includes the following individuals (but excluding any middle ranking or more junior official):

- a. a "specified official";
- b. a member of the administrative, management or supervisory body of a state-owned enterprise.

A "specified official" is (including any such officials in an institution of the European Communities or an international body):

- a. a head of state, head of government, government minister or deputy or assistant government minister;
- b. a member of a parliament;
- c. a member of a supreme court, constitutional court or other high level judicial body whose decisions, other than in exceptional circumstances, are not subject to further appeal;
- d. a member of a court of auditors or of the board of a central bank;
- e. an ambassador, chargé d'affaires or high-ranking officer in the armed forces.

An immediate family member of a PEP includes any of the following persons:

- a. any spouse of the PEP;
- b. any person who is considered to be equivalent to a spouse of the PEP under the national or other law of the place where the person or PEP resides;
- c. any child of the PEP;
- d. any spouse of a child of the PEP;
- e. any person considered to be equivalent to a spouse of a child of the PEP under the national or other law of the place where the person or child resides;
- f. any parent of the PEP;
- g. any other family member of the PEP who is of a class prescribed by the Minister for Justice under section 37(11) of the Act.

A close associate of a PEP includes any of the following persons:

- a. any individual who has joint beneficial ownership of a legal entity or legal arrangement, or any other close business relations, with the PEP;
- b. any individual who has sole beneficial ownership of a legal entity or legal arrangement set up for the actual benefit of the PEP.

As an example, a "beneficial owner" of a body corporate is any individual who (other than a company having securities listed on a regulated market):

- a. ultimately owns or controls, whether through direct or indirect ownership or control (including through bearer shareholdings), more than 25 per cent of the shares or voting rights of the body; or
- b. otherwise exercises control over the management of the body.

## Appendix D – Entity Self-Certification for FATCA and CRS

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 Account Holder's tax arrangements. Please complete the sections below as directed and provide any additional information that is requested. Please note that by completing this application form you are providing personal information, which may constitute personal data within the meaning of the General Data Protection Regulation (697/2016/EU) (the "GDPR") and applicable Irish data protection legislation (currently the Irish Data Protection Acts 1988 to 2003). Please note that in certain circumstances we may be legally obliged to share this information, and other financial information with respect to an Account Holder's interests in the Fund, with the Irish tax authorities, the Revenue Commissioners. They in turn may exchange this information, and other financial information with foreign tax authorities, including tax authorities located outside the EU.

If you have any questions about this form or defining the Account Holder's tax residency status, please speak to a tax adviser or local tax authority. For further information and guidance on FATCA or CRS, please refer to the Irish Revenue or the OECD website at:

<http://www.revenue.ie/en/business/aeoi/index.html>

<http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/> in the case of CRS only.

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

**Account Holders that are Individuals or Controlling Persons should not complete this form and should complete the form entitled "Individual (including Controlling Persons) Self-Certification for FATCA and CRS".**

### Section 1: Investor Identification

<b>Investor Name: (the "Entity")</b>		<b>Country of Incorporation:</b>	
--	--	--------------------------------------	--

#### Residential Address:

<b>House Name / Number:</b>		<b>Street:</b>	
<b>City, Town, State, Province or County:</b>		<b>Postal Code:</b>	
<b>Country:</b>			

#### Mailing Address: (If different from above)

<b>House Name / Number:</b>		<b>Street:</b>	
<b>City, Town, State, Province or County:</b>		<b>Postal Code:</b>	
<b>Country:</b>			

### Section 2: Declaration of Tax Residency

Please complete the following table indicating (i) where the Account Holder is tax resident and (ii) the Account Holder's Taxpayer Identification Number (TIN) for each country indicated.

Country if Tax Residency (and citizenship if U.S.)	Tax ID Number/TIN

**Section 3: US Persons**

The Entity is a Specified U.S. Person	<input type="checkbox"/>	(if selected proceed to Section 5)
The Entity is a U.S. person but not a specified U.S. person	<input type="checkbox"/>	(if selected proceed to Section 5)

**Section 4: FATCA Classification (Non-U.S. Persons)**

(i) If the Entity is a *Financial* Institution, please tick one of the below categories and provide the Entity's GIIN at 3.2 or indicate at 3.3 the reason why you are unable to provide a GIIN.

Irish Financial Institution or a Partner Jurisdiction Financial Institution	<input type="checkbox"/>
Registered Deemed Compliant Foreign Financial Institution	<input type="checkbox"/>
Participating Foreign Financial Institution	<input type="checkbox"/>
Non-Participating Foreign Financial Institution	<input type="checkbox"/>
Exempt Beneficial Owner	<input type="checkbox"/>
Deemed Compliant Foreign Financial Institution (FFI)	<input type="checkbox"/>
Excepted Foreign Financial Institution	<input type="checkbox"/>

**Please provide the *Global Intermediary Identification number (GIIN)*:**

(ii) If the Entity is not a Financial Institution please confirm the Entity's FATCA status by ticking one of the boxes below.

Active Non-Financial Foreign Entity (incl Excepted Non-Financial Foreign Entity)	<input type="checkbox"/>
Passive Non-Financial Entity (if selected Section 6 must be completed)	<input type="checkbox"/>

**Section 5: Common Reporting Standard (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 above). In addition, please note that the information that the Entity has to provide may differ depending on whether they are resident in a participating or non-participating CRS Jurisdiction. For more information, please see the OECD CRS Standard and associated commentary.

<http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/>

Financial Institution (this includes Non-Reporting Financial Institutions)	<input type="checkbox"/>
A professionally managed Investment Entity outside of a CRS Participating Jurisdiction (if selected Section 6 must be completed)	<input type="checkbox"/>
Active Non-Financial Entity:	
(i) a corporation the stock of which is regularly traded on an established securities market or a Related Entity of such a corporation	<input type="checkbox"/>
(ii) a Government Entity	<input type="checkbox"/>
(iii) an International Organisation	<input type="checkbox"/>
(iv) Active Non-Financial Entity – other than (i)-(iii)	<input type="checkbox"/>
Passive Non-Financial Entity (if selected Section 6 must be completed)	<input type="checkbox"/>

**Section 6: Controlling Persons**

**NB: Please note that each Controlling Person must complete a separate "Individual (including Controlling Persons) FATCA and CRS 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/>

**Please indicate the name of all Controlling Person(s) of the Account Holder and provide an individual self-cert for each controlling person (s):**


**Note: In case of a trust**, Controlling Persons means the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary (ies) or class(es) of beneficiary(ies), **AND** any other natural person(s) exercising ultimate effective control over the trust. With respect to an Entity that is a legal person, if there are no natural person(s) who exercise control over the Entity, then the Controlling Person will be the natural person who holds the position of senior managing official of the Entity.

**Section 7: Declaration 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/We acknowledge** the fact 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 on behalf of the Entity undertake to advise the recipient promptly and provide an updated Self-Certification form within 30 days where any change in circumstance (for guidance refer to Irish Revenue or OECD website) occurs which causes any of the information contained in this form to be incorrect.

Authorised Signature(s):		
Name(s):		
Capacity(s) in which declaration is made:		
Date:		

## Individual (including Controlling Persons) Self-Certification for FATCA and CRS

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 Account Holder's tax arrangements. Please complete the sections below as directed and provide any additional information that is requested. Please note that by completing this form you are providing personal information, which may constitute personal data within the meaning of the General Data Protection Regulation (697/2016/EU) (the "GDPR") and applicable Irish data protection legislation (currently the Irish Data Protection Acts 1988 to 2003). Please note that in certain circumstances we may be legally obliged to share this information, and other financial information with respect to an Account Holder's interests in the Fund, with the Irish tax authorities, the Revenue Commissioners. They may in turn exchange this information, and other financial information with foreign tax authorities, including tax authorities outside the EU.

If you have any questions about this form or defining the Account Holder's tax residency status, please speak to a tax adviser or local tax authority. For further information and guidance on FATCA or CRS, please refer to the Irish Revenue or OECD websites at:

<http://www.revenue.ie/en/business/aeoi/index.html>

<http://www.oecd.org/tax/automatic-exchange/common-reporting-standard> in the case of CRS only.

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

Please note that where there are Joint Account Holders, each Account Holder is required to complete a separate Self-Certification form.

**Section 1, 2 and 4 must be completed by all Account Holders or Controlling Persons. Section 3 should only be completed by any individual who is a Controlling Person of an entity Account Holder, which is a Passive Non-Financial Entity, or a Controlling Person of an Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution.**

Section 1: Investor/Controlling Person Identification			
Investor / Controlling Person Name:		Place of Birth: (town or city)	
Country of Birth:		Date of Birth:	

<b>Residential Address:</b>			
House Name / Number:		Street:	
City, Town, State, Province or County:		Postal Code:	
Country:			

<b>Mailing Address: (If different from above)</b>			
House Name / Number:		Street:	
City, Town, State, Province or County:		Postal Code:	
Country:			

**Section 2: Declaration of Tax residency**

Please indicate all countries in which you are resident for tax purposes and the associated tax reference numbers in the table below. If you are a US citizen or resident in the United States for tax purposes, please include the United States in this table along with your US Tax Identification Number.

Country if Tax Residency (and citizenship if U.S.)	Tax ID Number/TIN *1

\*1 – Jersey Investors should provide Social Security Number

If a TIN is unavailable, please tick the appropriate box as follows:

<b>Reason A</b> - The country/jurisdiction where the Account Holder is resident does not issue TINs or TIN equivalents to its residents		
<b>Reason B</b> - The Account Holder is otherwise unable to obtain a TIN (please explain why you are unable to obtain a TIN)		
<b>Reason C</b> - No TIN is required. (Note: This should only be selected if the domestic law of the relevant country/ jurisdiction does not require the collection of the TIN issued by such country/jurisdiction)		

**Section 3: Controlling Person Type**

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

Please Confirm the type of Controlling Person applicable under CRS that applies to you/the Account holder by ticking the appropriate box	Please Tick	Entity Name
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 4: 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 the fact 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 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 undertake to advise the recipient promptly and provide an updated Self-Certification form within 30 days where any change in circumstances occurs which causes any of the information contained in this form to be incorrect.

Authorised Signature:	
Name:	
Capacity in which declaration is made:	
Date:	

## Appendix E – Data Protection Notice To Investors

### Orchard Funds plc (the "Fund")

#### 1. Purpose of Notice

This notice sets out details on how personal information relating to you, as an investor in the Fund, or that of your directors, officers, employees and/or beneficial owners ("**Personal Data**") will be handled by the Fund, as controller of the Personal Data (as specified in Section 3 of this notice below), and / or on its behalf by its third party service providers as and from 25 May 2018.

#### 2. Personal Data Processed by the Fund

The Fund processes your Personal Data: as provided to it or its relevant service providers on your completed investor application form; that it collects, generates or observes while administering your investor account; and other Personal Data you provide to us or the Fund's third party service providers acting on the Fund's behalf such as AML / KYC information. This information may include:

- a. **Information you provided to the Fund:** this might include name and address (including proofs of name and address), contact details, date of birth, gender, nationality, photograph, signature, occupational history, job title, income, assets, other financial information, bank details, investment history, tax residency and tax identification information.
- b. **Information that the Fund collects, generates or observes:** this might include information relating to investments in the Fund, emails, call recordings and website usage data.
- c. **Information that the Fund obtains from third party sources:** this might include information obtained for the purpose of the Fund's AML / KYC procedures, information from public websites, social media and information received from intermediaries. Such third parties include:

- AML screening tool (e.g. Factiva, Fircosoft)

#### 3. Why the Fund Processes your Personal Data

The Fund collects and processes your Personal Data on various legal bases and different purposes, including those set out below.

Legal Basis	Purpose(s)
<p><b>Performance of a Contract</b> The Fund must process your Personal Data in order to enter into and perform its contract with you as an investor in the Fund.</p>	<ul style="list-style-type: none"> <li>• To assess the initial application for shares and to facilitate the opening of the account with the Fund.</li> <li>• To facilitate the management and administration of holdings and dealing in the Fund including, without limitation, the processing of redemption, conversion, transfer and additional subscription requests, the payment of distributions and the processing and verification of instructions.</li> </ul>
<p><b>Compliance with Legal Obligation</b> The Fund may process your Personal Data in order to comply with its relevant legal and regulatory obligations.</p>	<ul style="list-style-type: none"> <li>• To ensure compliance with the Fund's business, tax and regulatory obligations, including its FATCA/CRS reporting obligations.</li> <li>• To assist the Fund's auditors in the auditing of the Fund in accordance with its legal obligations.</li> <li>• To investigate, detect, prevent or prosecute crimes in relation to the prevention of fraud, money laundering and/or terrorist financing, including "know your customer" and other necessary on-boarding and ongoing investor checks.</li> </ul>

#### **4. Third Party Recipients of your Personal Data**

The Fund may disclose your Personal Data to its relevant service providers and/or other third parties including:

- the Administrator, currently CACEIS Ireland Limited, 1 Custom House Plaza, International Financial Services Centre, Dublin 1, DO1 C2C5, Ireland
- the Depositary, currently CACEIS Bank, Ireland branch, 1 Custom House Plaza, International Financial Services Centre, Dublin 1, DO1 C2C5, Ireland
- the Auditors, currently Grant Thornton Ireland, Registered Auditors, 13-18 City Quay, Dublin 2, DO2 ED70 Ireland
- the Legal Advisors, currently William Fry, 2 Grand Canal Square, Dublin 2, Ireland
- the Secretary, currently Wilton Secretarial Limited, 6<sup>th</sup> Floor, 2 Grand Canal Square, Dublin 2, Ireland
- the MLRO, currently TBCthe Transfer Agent, currently CACEIS Ireland Limited, 1 Custom House Plaza, International Financial Services Centre, Dublin 1, DO1 C2C5, Ireland
- the Registrar, currently CACEIS Ireland Limited, 1 Custom House Plaza, International Financial Services Centre, Dublin 1, DO1 C2C5, Ireland
- the Manager, currently Link Fund Manager Solutions (Ireland) Limited, First Floor, 2 Grand Canal Square, Dublin 2, Ireland
- the Investment Manager, MitonOptimal Portfolio Management (CI) Limited, Suite A1-A2, Hirzel Street, Hirzel Court, St Peter Port, Guernsey, GY1 3XF the Distributor, currently MitonOptimal Portfolio Management (CI) Limited, Suite A1-A2, Hirzel Street, Hirzel Court, St Peter Port, Guernsey, GY1 3XF
- the Sub-Distributor, currently Global Wealth Management Solutions LLP, Wrest Park, Silsoe, Bedfordshire, MK45 4HR
- the Tax advisors for reporting fund status, currently Grant Thornton Limited, Lefebvre House, Lefebvre Street, St Peter Port, Guernsey, GY1 3TF
- the Brokers, currently ADM Investor Services International Limited, 4<sup>th</sup> Floor, Millennium Bridge House, 2 Lambeth Hill, London, EC1V 3TT and Interactive Brokers (UK) Limited, Level 20 Heron Tower, 110 Bishopsgate, London, EC2N 4AY
- the Irish Revenue and other national revenue authorities
- national regulators, including the Central Bank of Ireland
- An Garda Síochána

The Fund or its service providers may also disclose your Personal Data to any other persons or entities as agreed between the Fund and the relevant service provider, or as may be required or expressly permitted by applicable laws.

#### **5. International Transfer of your Personal Data**

The disclosure of your Personal Data to the third party recipients set out above may involve the transfer of data to other jurisdictions outside the European Economic Area ("EEA"), which are not the subject of an adequacy decision by the EU Commission. Such countries may not be subject to equivalent data protection laws as countries within the EEA. Any transfer of your Personal Data to jurisdictions outside the EEA may only occur in accordance with the requirements of the GDPR.

#### **6. Retention of your Personal Data**

The Fund will retain Personal Data for as long as necessary or permitted in light of the purpose(s) for which it was obtained. The criteria used to determine the retention periods include:

- the length of relationship with the Fund;
- whether there is a legal obligation to which the Fund are subject (such as retaining Personal Data obtained for the performance of AML and related checks, which will be kept for 6 years after termination of the relationship); and
- whether retention is advisable in light of the Fund's legal position (such as with respect to statutes of limitations, litigation or regulatory investigations), in which case the Personal Data may be kept for up to 6 years.



## 7. Your Data Protection Rights

You have a number of rights in relation to your Personal Data, which are set out in the table below. **In particular, these rights include the right to object to processing of your Personal Data where that processing is carried out for the Fund's legitimate interests.** Note that in certain circumstances these rights might not be absolute.

Right	Further Information
<b>Right of Access</b>	You have the right to request a copy of the Personal Data held by the Fund about you and to access the information, which the Fund holds about you. The Fund may charge you for making such an access request where it feels your request is unjustified or excessive.
<b>Right to Object</b>	You have a right to object at any time to the processing of your Personal Data where the Fund processes your Personal Data on the legal basis of pursuing the Fund's legitimate interests.
<b>Right to Rectification</b>	You have the right to have any inaccurate Personal Data, which the Fund holds about you updated or corrected.
<b>Right to Erasure</b>	In certain circumstances, you may also have your personal information deleted, for example, if you exercise your right to object (see above) and the Fund does not have an overriding reason to process your Personal Data or if the Fund no longer requires your Personal Data for the purposes as set out in this notice.
<b>Right to Restriction of Processing</b>	You have the right to ask the Fund to restrict processing your Personal Data in certain cases, including if you believe that the Personal Data the Fund holds about you is inaccurate or the Fund's use of your information is unlawful. If you validly exercise this right, the Fund will store your Personal Data and will not carry out any other processing until the issue is resolved.
<b>Right to Data Portability</b>	You may request the Fund to provide you with your Personal Data, which you have given the Fund in a structured, commonly used, and machine-readable format and you may request the Fund to transmit your Personal Data directly to another data controller where this is technically feasible. This right only arises where: (1) the Fund processes your Personal Data with your consent or where it is necessary to perform the Fund's contract with you; <b>and</b> (2) the processing is carried out by automated means.

Where the Fund requires your Personal Data to comply with anti-money laundering or other relevant legal requirements, failure to provide this information may prevent any future dealing of shares in the Fund and will result in your investor account being frozen such that no dividend or redemption proceeds will be paid to you.

Should you consider that the processing of your Personal Data by the Fund or its service providers infringes the provisions of the GDPR, you may lodge a complaint with a supervisory authority in the EU Member State of your habitual residence, place of work, or in the place where an alleged infringement occurs.

## 8. Contact Us

If you have any questions in relation to the Fund's use of your Personal Data, or would like to submit a request with respect to your rights above, please contact us at [FB-REG-IRELAND2@caceis.com](mailto:FB-REG-IRELAND2@caceis.com).

## Appendix F - Ultimate Beneficial Ownership Declaration Form

Please provide this form to CACEIS Ireland Limited declaring the information regarding the Beneficial Owners (as defined below) and Principals (Directors/Officers) for the company.

“Beneficial Owners” means:

- **For Financial Institutions acting in the capacity as Intermediary**  
For all beneficial owners that represents 25% or more of the investment for Irish domiciled funds;  
If applicable, please complete the section below.
- **For Entities acting in the capacity as a Nominee**  
For all beneficial owners that represents 25% or more of the investment for Irish domiciled funds or  
If applicable, please complete the section below.
- **For Corporations:**  
All principals, officers, directors, and any individuals or entities who own 25% or more for Irish domiciled funds.  
If applicable, please complete the section below.
- **For Not for Profit Entity (Foundation, Association, Charity)**  
All individuals with significant responsibility to control, manage, or direct the Not for Profit Entity. If applicable, please complete the section below.
- **Partnerships**  
Individuals who own/control 25% or more for Irish domiciled funds of the assets/voting power, including, but not limited to, Limited Partners. If applicable, please complete the section below.
- **LLCs**  
All managing member(s) and any member(s) who owns/controls 25% or more for Irish domiciled funds. If applicable, please complete the section below.
- **Trusts**  
All Settlor(s) / Grantor(s) / Trustee(s) / Protector(s), and all Beneficiaries of the Trust must be declared (regardless of the percentage amount of ownership for the beneficiaries).  
If applicable, please complete the section below.
- **Pensions**  
For all beneficial owners that represents 25% or more of the investment for Irish domiciled funds.  
  
If applicable, please complete the section below.
- **Funds**  
For all beneficial owners that represents 25% or more of the investment for Irish domiciled funds.  
  
If applicable, please complete the section below.

## Details of Ownership Structure

The following information for each individual, if any, who, directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise, owns 25% or more for Irish domiciled funds of the equity interests of the legal entity listed above:

Gender M/F	First name	Name <sup>2</sup>	Date of birth	City of birth	Country of birth	Citizenship(s)	Country of tax residence	% of shares / voting rights (if applicable) <sup>3</sup>	Job title (if applicable)	TIN number <sup>4</sup>

I/We declare that the beneficial owner, Settlor / Grantor / Protector / Trustee and Beneficiaries (for trust) i.e. individuals(s) who ultimately own(s) or effectively control(s) the company (regardless of shareholding), and the percentage shares held by the beneficial owners of the Company.

<sup>1</sup> In the event the shareholder(s) is a company, please drill down by providing the names of the individuals that own the company.

Please indicate the names of the intermediary company that owns the investor.

<sup>2</sup> Provide a document evidencing the identity of the beneficial owner (Statutory auditors or external lawyers attestation, Certification of incorporation, Articles of association etc.).

<sup>3</sup> Provide an organization chart certified by statutory auditors or external lawyers.

<sup>4</sup> The Tax Identification Number.

## Details on the Controlling Persons / Responsible Officers

The following information is for individuals with significant responsibility for managing the legal entity, such as an executive officer or senior manager (e.g., Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President, Treasurer) or Any other individual who regularly performs similar functions (If appropriate, an individual listed under section (1) above may also be listed in this section (2) or Individuals with significant responsibility to control, manage, or direct the Not for Profit Entity or Trustee(s)/Grantor(s)/Settlor(s)/Protector(s) for a Trust;

<i>Gender</i> <i>M/F</i>	<i>First name</i>	<i>Name</i>	<i>Date of birth</i>	<i>City of birth</i>	<i>Country of birth</i>	<i>Citizenship(s)</i>	<i>Country of tax residence</i>	<i>Job title (if applicable)</i>

- There are no beneficial owners or Controlling Persons for this entity. (No individual(s)/ entity(ies) own(s) 25% or more.
- There are no legal representatives, (No natural person(s) falls with the definition of beneficial owner, the beneficial owner(s) is (are) individuals who hold the position of legal representative(s).

By signing the below, I declare that the above information is accurate and that I will keep the administrator, Caceis (Ireland) Limited informed of any changes or additions to the information provided.

<i>Signature of the legal representative of the entity</i>	<i>Date</i>