

HENDERSON ROWE

# FP Rayliant Funds

## OEIC Application Form

### C Share Class Only

For completion by the introducing intermediary  
(if applicable)

Advised Investment\*

Non-advised Investment\*

\*Please tick as appropriate



**FUNDROCK**

1. Investor Details (BLOCK CAPITALS please)

Title	Surname
Forename(s)	
Permanent Address	
Postcode	
Date of Birth	
Registered name if not an individual (e.g. company name)	
Designation (if applicable)	
Telephone (daytime)	

2. Personal Details of Joint Applicant

Title	Surname
Forename(s)	
Permanent Address	
Postcode	
Date of Birth	

Additional joint applicants (a maximum of 4 in total) must sign and attach name and address details separately. Shares cannot be registered in the name of a minor. Shares should be registered in the name of an adult and designated with the minor's initials (e.g. John Smith - account PBS). On attaining the age of majority, Shares can be transferred to the designee upon receipt of the appropriate documentation.

3. Investment Details

FP Rayliant Funds	Share Class and Type	Lump Sum (Minimum initial investment: £2,000,000.00)
FP Rayliant Quantamental Emerging Markets Equity Fund	C Class Accumulation	£

4. Settlement for Purchases

**Investment in Sterling Classes:** A cheque made payable to "FundRock Partners Limited" should accompany the completed application or payment can be made via direct bank transfer to the following account:

<b>Bank</b>	NatWest Bank, 1 Princes Street, London EC2R 8PA
<b>Sort Code</b>	60-00-01
<b>Account Number</b>	39329917
<b>Account Name</b>	FundRock Partners Limited
<b>Swift Address</b>	NWBKGB2L
<b>Reference</b>	Investor Name

Please ensure that on your payment a reference is quoted including the full investor name and account number (if known). Please also ensure that the amount we receive (after any applicable bank charges) is the same as the amount shown under investment details in the previous section.

## 5. Cancellation Rights

Under the Financial Conduct Authority's Conduct of Business Sourcebook, cancellation rights will apply where the contract was arranged through an independent intermediary, unless they hold an appropriate Customer Agreement with you or dealt on your behalf on an execution-only basis. A copy of the Prospectus is available, free of charge, on request. A copy of this completed application form is also available on request.

For an Advised Investment Cancellation Rights **will** apply.

## 6. Data Protection

The way in which we may use personal information of individuals ("personal data") is governed by the "**Data Protection Requirements**" which means all applicable data protection laws and regulations including, without limitation, (a) the General Data Protection Regulation (EU) 2016/679 ("GDPR"), (b) any applicable legislation supplementing and / or implementing GDPR in the United Kingdom, and (c) any legislation that, in respect of the United Kingdom, replaces GDPR as a consequence of the United Kingdom leaving the European Union. Further details on our privacy policy and your rights under the Data Protection Requirements can be found on our website: [www.fundpartners.co.uk](http://www.fundpartners.co.uk).

*Information we collect from you or from other sources and what we do with it:*

We will collect and process the following data about you depending on how or why you interact or communicate with us (e.g., filling in an application form, subscribing for or redeeming Shares or when you communicate with us by email, telephone or otherwise):

- (1) Your name and title, address, date of birth, e-mail address and phone number or other contact information; your signature, your tax number or "national insurance number"; your banking details, credit or debit card information or other payment or financial information; information about transactions you make in relation to a Fund including your holding in a Fund or the reference number in relation to your holding; your personal description and your photograph.

We will use this information to open your account, maintain the Register; process subscriptions, redemptions and exchanges of Shares and payments of dividends; perform controls on excessive trading and market timing; comply with applicable anti-money laundering rules or anti-terrorist financing rules; or comply with our reporting obligations to regulatory bodies or tax authorities as well as our obligations under other applicable laws and regulations, monitor calls and electronic communications to process and verify of instructions, or for investigation and fraud prevention purposes.

The legal basis for this processing of your personal data is our legitimate interests, namely the proper administration of your investment, the operation the Fund by us, our delegates and the service providers in relation to a Fund; the performance of the contractual obligations between you as a Shareholder and us; to provide you with information, products and services that you request from us; to notify you about changes to our services or to a Fund or the Company; and to comply with applicable laws and regulations.

**You have the right to refuse to give us your personal data in which case we may at our discretion refuse to issue Shares to you; refuse to pay the proceeds of a redemption of Shares; refuse to pay income on Shares; or compulsorily redeem your holding.**

- (2) With regard to each of your visits to our website, we will automatically collect certain information about you or your computer. We will do so for administration purposes and to analyse the use of our website and services. Further details are available in the Prospectus and on our website.

The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and services.

We will combine the information that you give us with information that we receive from other sources and use this for the purposes set out above (depending on the types of information we receive).

We may also use your personal data to establish, exercise or defend claims in order to protect or assert our legal rights, your legal rights or the legal rights of others, obtain or maintain insurance coverage, manage risks, or obtain professional advice in order to protect our business.

*Disclosure of your information*

We may disclose your personal data to any member of our group of companies; our insurers or professional advisers; service providers to the Funds; our service providers, delegates, suppliers, contractors, sub-contractors or business partners and third parties with whom we contract; our auditors, our bank, competent authorities including the FCA, tax authorities, courts and other bodies for reporting or as otherwise required by law; technical advisers or analytics and search engine providers that assist us in the improvement and optimisation of our website; credit reference agencies or other risk management agencies; third parties that provide security, email security, data governance, archiving and other information technology support services; any third party that you ask us to share your personal data with.

We may disclose your personal data to third parties in the event we sell or purchase a business or assets; if we are acquired by a third party; in the event that we propose to retire as authorised investment fund manager/authorised corporate director on a Fund, in which case we may disclose your personal data to the intended new authorised investment fund manager/authorised corporate director prior to, and at the time of, the transfer in order for the new authorised investment fund manager/authorised corporate director and their delegates to make certain preparations; or where we are under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation; or in order to enforce or apply the terms of use of our website (which can be found on our website) and other agreements; or to protect our rights, property, or safety, or that of our customers, or others.

#### *International transfers of your personal data*

If we or our service providers need to share your personal data with a recipient outside the European Economic Area or “EEA”, we will ensure that appropriate safeguards are in place including: model clauses that have been approved by the European Commission; a code of conduct or other certified mechanisms such as binding contractual rules. (“**Safeguards**”). Your personal data may be transferred to third parties that we or our service providers use including certain banks that we or our service providers use or certain companies that provide certain services to our service providers such as the registrar of the Fund. Such third parties include: a company located in India that provides operational support services, a company based in the USA that provides information technology security services, and a company based in the USA (but which has affiliates in multiple locations) that provides customer services software.

#### *Retention and deletion of your personal data*

We will not keep your personal data longer than is necessary for the purpose that we process it or for any purpose. We will generally retain your personal data for a minimum of 7 years, or for such period as is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

#### *Rights of an individual*

As an individual, you have certain rights under the Data Protection Requirements. These include: (a) the right of access (b) the right to rectification (c) the right to erasure (d) the right to restrict processing (e) the right to object to processing (f) the right to data portability (g) the right to complain to a supervisory authority, and (h) the right to withdraw consent. Some of the rights are complex and only apply in specific circumstances. Further details are set out in the privacy policy published on our website.

#### *Our details*

You can contact us or our Data Protection Officer regarding the Data Protection Requirements or our privacy policy:

(a) by post, to Bastion House, 6th floor, 140 London Wall, London, EC2Y 5DN;

(b) by telephone, on **01268 44 8658** or the contact number published on our website from time to time; or

(c) ) by email, to **FP\_DataProtection@Fundrock.com** or the email address published on our website from time

to time. Further information is available on our website.

## 8. Declaration

- I/We\* apply to FundRock Partners Limited to invest in the FP Rayliant Funds .
- I/We\* declare that this application form has been completed to the best of my/our\* knowledge and belief.
- I/We\* confirm that I/we\* have received, read, and agree to the information within the relevant Key Investor Information Document(s) and Supplementary Information Document and that I/we\* have been offered a copy of the Prospectus and Manager's Reports for the Funds.
- I/We\* enclose a cheque made payable to FundRock Partners Limited/will remit the money electronically for the lump sum amount to be invested and/or have completed the Direct Debit instruction for the first monthly payment. I/We\* confirm that these monies are my/our\* own and that I/we\* are the beneficial owner(s) of this investment. If the investor is not the beneficial owner please complete the boxes below†.
- I understand that you may require additional information from me/us\* in accordance with the money laundering regulations and I/we\* acknowledge that electronic data sources may be used to check my/our\* identity under the money laundering regulations.
- I am/We are\* not a US Person am/are\* not applying for shares on behalf of a US Person. I/we\* will notify FundRock Partners Limited immediately should my/our status change.
- I/We\* have read the data protection information contained in the Prospectus and in this document.
- I/We\* consent to my/our\* shares being compulsorily redeemed in accordance with the Prospectus in the event that these statements are not correct or become incorrect in the future.
- I/We\* hereby acknowledge that when I/we apply for shares or units in a fund there is a window of time between FundRock Partners Limited receiving subscription money from me/us and FundRock Partners Limited transferring the subscription money to the Depositary (as defined in the Prospectus) or Trustee (as defined in the Prospectus), to be used to settle the creation of my/our shares or units. If FundRock Partners Limited transfers the subscription money to the Depositary, or Trustee, by the close of business on the Business Day (as defined in the Prospectus) following receipt, FundRock Partners Limited is permitted to use an exemption to the Financial Conduct Authority's client money rules (the "Client Money Rules") which means that FundRock Partners Limited is not required to ensure that money is protected in a ring-fenced bank account. If FundRock Partners Limited transfers the subscription money to the Depositary, or Trustee, outside of this window then FundRock Partners Limited is required to protect the money in a ring-fenced bank account in accordance with the Client Money Rules.
- Similarly I/we\* acknowledge that when I/we make a redemption request for shares/units in a fund there is a window of time between FundRock Partners Limited receiving redemption money from the Depositary, or Trustee, and FundRock Partners Limited transferring the redemption money to me/us. If FundRock Partners Limited transfers the redemption money to me/us by close of business on the Business Day following receipt, FundRock Partners Limited is permitted to use an exemption to the Client Money Rules which means that FundRock Partners Limited is not required to ensure that money is protected in a ring-fenced bank account. If FundRock Partners Limited transfers the redemption money to me/us outside of this window then FundRock Partners Limited is required to protect the money in a ring-fenced bank account in accordance with the Client Money Rules until such time as it is paid to me/us.
- Money which is not held as client money will not be protected in the event of the insolvency of FundRock Partners Limited. By agreeing to subscribe for shares or units in a fund, you consent to us operating the delivery versus payment exemption on subscriptions and redemptions as explained above.
- By signing this application form, I/we consent to the transfer of any client money held by FundRock Partners Limited to a third party where FundRock Partners Limited decides to transfer all or part of its business to that third party in accordance with the Client Money Rules. I/we acknowledge that by providing consent at this time neither FundRock Partners Limited nor the third party need obtain my prior consent to the specific transfer.

\*PLEASE DELETE AS APPROPRIATE

Please contact us if you have any queries regarding your US status.

First Applicant's Signature	Date
First Joint Applicant's Signature	Date
2nd Joint Applicant's Signature	Date
3rd Joint Applicant's Signature	Date

† if you are not the beneficial owner(s) please delete the relevant wording in the declaration, and complete the box(es) below with details of who the beneficial owner(s) is/are and also advise your relationship to such person(s). For corporate applicants please give details of any unitholders or other individuals who ultimately control more than 25% of the voting rights or are entitled to more than 25% of the company's profits.

Beneficial Owner details:
Full Name:
Permanent Address
Postcode
Date of Birth

Beneficial Owner details:
Full Name:
Permanent Address
Postcode
Date of Birth

9. Politically Exposed Person

Please read the categories below carefully and then complete the appropriate declaration sections below.

**CATEGORY A)**

I/We† hereby represent and warrant that, to the best of our knowledge, none of the following:

- 1) the investor;
- 2) any person controlling or controlled by the investor;
- 3) if the investor is a privately held entity, any person having a beneficial interest in the investor; or
- 4) any person for whom the investor is acting as agent or nominee in connection with this investment is a politically exposed person,\* or any immediate family member\*\* or close associate of a politically exposed person as such terms are defined in the footnotes below.

OR

**CATEGORY B)**

- 1) I/We† confirm that I/we† meet the definition of a politically exposed person(s),\* or any immediate family member(s)\*\* or close associate(s) of a politically exposed person according to the terms defined in the footnotes below. I/We† will provide the necessary disclosures regarding source of wealth and, where relevant, the source of wealth of any applicable beneficial owners.

† **DELETE AS APPROPRIATE**

\* “politically exposed person” means an individual who is, or has at any time been, entrusted with a prominent public function, including either of the following individuals (but not including 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; “specified official” means any of the following officials (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, charge´ d’affaires or high-ranking officer in the armed forces.

\*\* The definition also expands to a “close associate”, “immediate family 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 d) any person who is the equivalent of a spouse under the national law of the place where the PEP resides e) any cohabitant, f) any child or parent of the politically exposed person or spouse of the child of the PEP g) any other family member who is of a prescribed class.

First Applicant's Name† (please print)  _____	Politically Exposed Person Declaration (please check box as appropriate) I FALL INTO CATEGORY A) <input type="checkbox"/> or B) <input type="checkbox"/>	First Joint Applicant's Name† (please print)  _____	Politically Exposed Person Declaration (please check box as appropriate) I FALL INTO CATEGORY A) <input type="checkbox"/> or B) <input type="checkbox"/>
First Applicant's Signature  _____	Date  DDMM20YY	First Joint Applicant's Signature  _____	Date  DDMM20YY
2nd Joint Applicant's Name (please print)  _____	Politically Exposed Person Declaration (please check box as appropriate) I FALL INTO CATEGORY A) <input type="checkbox"/> or B) <input type="checkbox"/>	3rd Joint Applicant's Name (please print)  _____	Politically Exposed Person Declaration (please check box as appropriate) I FALL INTO CATEGORY A) <input type="checkbox"/> or B) <input type="checkbox"/>
2nd Joint Applicant's Signature  _____	Date  DDMM20YY	3rd Joint Applicant's Signature  _____	Date  DDMM20YY

† If you are not the beneficial owner(s) please complete and sign the section overleaf.

9. Politically Exposed Person (continued from overleaf)

† if you are not the beneficial owner(s) please complete the box(es) below with details of who the beneficial owner(s) is/are. Please also tick the appropriate option to declare the beneficial owner's status according to the Politically Exposed Person terms on the previous page.

First Beneficial Owner's Name (please print)  _____	Politically Exposed Person Declaration (please check box as appropriate) I FALL INTO CATEGORY A) <input type="checkbox"/> or B) <input type="checkbox"/>	Second Beneficial Owner's Name (please print)  _____	Politically Exposed Person Declaration (please check box as appropriate) I FALL INTO CATEGORY A) <input type="checkbox"/> or B) <input type="checkbox"/>																
First Beneficial Owner's Signature  _____	Date  <table border="1" data-bbox="459 607 778 667"> <tr> <td>D</td><td>D</td><td>M</td><td>M</td><td>2</td><td>0</td><td>Y</td><td>Y</td> </tr> </table>	D	D	M	M	2	0	Y	Y	Second Beneficial Owner's Signature  _____	Date  <table border="1" data-bbox="1166 607 1485 667"> <tr> <td>D</td><td>D</td><td>M</td><td>M</td><td>2</td><td>0</td><td>Y</td><td>Y</td> </tr> </table>	D	D	M	M	2	0	Y	Y
D	D	M	M	2	0	Y	Y												
D	D	M	M	2	0	Y	Y												



## Self-Certification for Individuals<sup>1</sup>

**NOTE: Each person named as a Registered Holder on this Application Form must print and complete and submit a separate copy of this form. Entities (i.e. companies, charities constituted as corporate bodies, limited liability partnerships etc.) must complete the “Self-Certification for Entities” form which follows this page.**

Tax Regulations require FundRock Partners Limited to collect certain information about each investor’s tax residencies and tax classifications. In certain circumstances (including if we do not receive a valid self-certification from you) we may be obliged to share information on your account with HMRC. Information about you may also be transferred to the government of another territory in accordance with a relevant agreement.

Please complete all sections below as directed. If you have any questions about your classifications, please contact your tax adviser. Should any information provided change in the future, please ensure you advise us of the changes promptly.

### Section 1: Individual 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, please include United States in this table along with your US Tax Identification Number.

Country/Countries of Tax Residency	Tax Reference Number

If you are not resident in any country for tax purposes, please tick this box:

### Section 2: Declaration

I declare that the information provided on this form is to the best of my knowledge and belief, accurate and complete. I agree to notify FundRock Partners Limited immediately in the event the information in the self-certification changes.

Signature of Applicant: \_

Applicant’s full name (please print): \_

Permanent Residential Address: \_

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\*Date of Birth: \_

## Self-Certification for Entities<sup>2</sup>

Tax Regulations<sup>3</sup> require us to collect certain information about each investor's tax residency and tax classifications. In certain circumstances (including if we do not receive a valid self-certification from you) we may be obliged to share information on your account with HMRC. Information about you may also be transferred to the government of another territory in accordance with a relevant agreement.

Please complete all sections below as directed. If you have any questions about your organisation's classifications, please see instructions or contact your tax advisor. Please see notes overleaf for key definitions. Should any information provided change in the future, please ensure you advise us of the changes promptly. **Individuals (i.e. natural persons, including where the investment is to be registered into the names of individuals) must complete the "Self-Certification for Individuals" form on the previous page.**

### Section 1: Entity Tax Residency

If your organisation has more than one country of tax residency, please complete one self-certification form for each country.

1.1 Please state the country in which your organisation is resident for tax purposes:

1.2 Please provide us with your organisation's Tax Reference Number:

### Section 2A: Organisation's classification under FATCA<sup>5</sup>

Please tick only one box with reference to the tax residency stated in box 1.1.

**If your organisation is a Financial Institution<sup>6</sup>, please specify which type:**

2.1	UK Financial Institution or a Partner Jurisdiction Financial Institution <sup>6</sup>	
2.2	Participating Foreign Financial Institution (in a non-IGA jurisdiction) <sup>6</sup>	
2.3	Non-Participating Foreign Financial Institution (in a non-IGA jurisdiction) <sup>6</sup>	
2.4	Financial Institution resident in the USA or in a US Territory <sup>6</sup>	
2.5	Exempt Beneficial Owner <sup>7</sup>	
2.6	Deemed Compliant Foreign Financial Institution <sup>6</sup> (besides those listed above)	

**If your organisation is not a Financial Institution<sup>6</sup>, please specify the entity's FATCA status below:**

2.7	Active Non-Financial Foreign Entity <sup>8</sup>	
2.8	Passive Non-Financial Foreign Entity <sup>10</sup> (If you tick this box, please include individual self-certification forms for each of your Controlling Persons <sup>11</sup> )	

### Section 2B: Complete this *only* if your organisation is US Tax Resident (box 1.1)

Tick this box if your organisation is any of the following and therefore **not** a Specified US Person:

- A regularly traded corporation on a recognised stock exchange;
- Any corporation that is a member of the same expanded affiliated group as a regularly traded corporation on a recognised stock exchange;
- A government entity;
- Any bank as defined in section 581 of the U.S. Internal Revenue Code;
- A retirement plan under section 7701(a)(37), or exempt organization under section 501(a) of the U.S. Internal Revenue Code;
- OR any other exclusion.

Please continue to **Section 3** on the following page.

**Section 3: Organisation's classification under the Common Reporting Standard (CRS)<sup>14</sup>**

Please tick one box only in this section with reference to the tax residency stated in box 1.1

3.1	Financial Institution <sup>6</sup> (this includes Non-Reporting Financial Institutions such as a pension scheme, government entity, international organisation and other entities).	
3.2	A professionally managed Investment Entity <sup>12</sup> <u>outside</u> of a CRS Participating Jurisdiction (If this box is ticked, please include individual self-certification forms for each of your Controlling Persons <sup>11</sup> )	
3.3	Active Non-Financial Entity <sup>8</sup> which is regularly traded on an established securities market or affiliated thereto, a Governmental Entity or an International Organisation	
3.4	Active Non-Financial Entity <sup>8</sup> (other than those listed in 3.3 above)	
3.5	Passive Non-Financial Entity <sup>10</sup>	

**Section 4: Declaration for FATCA and CRS<sup>14</sup>**

I declare that the information provided on this form is, to the best of my knowledge and belief, accurate and complete.  
I agree to notify FundRock Partners Limited immediately in the event the information on this self-certification form changes (including any changes to Controlling Persons).

Signed by (please print name): \_

On behalf of (organisation name): \_

Position (in organisation): \_

Organisation address: \_

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Country of Incorporation or Organisation: \_

Signature of person authorised to sign: \_

Date: \_

## Notes

### <sup>1</sup>Individual

Means a natural person

### <sup>2</sup>Entity

Mean a non-natural person and includes a corporate or unincorporated body (whether or not having separate legal personality). For example a company, charity, or partnership.

### <sup>3</sup>Tax Regulations

The term "Tax Regulations" refers to regulations created to enable automatic exchange of information and include FATCA<sup>5</sup>, various Agreements to Improve International Tax Compliance entered into between the UK and its Crown Dependencies and its Overseas Territories and the OECD Common Reporting Standard for Automatic Exchange of Financial Account Information.

### <sup>4</sup>Specified Person

The term "Specified Person" is defined by reference to local laws in the country where an entity is established. In the UK, a "Specified United Kingdom Person" means a person or entity who is resident in the United Kingdom for tax purposes, other than:

- i) a corporation the stock of which is regularly traded on one or more established securities markets;
- ii) any corporation that is a Related Entity<sup>13</sup> of a corporation described in clause(i);
- iii) a Depository Institution;
- iv) a broker or dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United Kingdom;
- v) a Governmental Entity;
- vi) an International Organisation (examples of which include The International Monetary Fund, The World Bank, The International Bank for Reconstruction and Development and The European Community – for a full list please see the relevant guidance issued by HMRC, or the IRS);
- vii) a Central Bank; or
- viii) a pension scheme or other arrangement registered with HMRC under Part 4 of the Finance Act 2004.

Similar definitions apply to entities in the US (defined in the FATCA Regulations) and Crown Dependencies and Overseas Territories (as defined in the relevant Agreement to Improve International Tax Compliance with the UK). **Entities in other jurisdictions should instead apply the similar definition of "Reportable Person" under the OECD Common Reporting Standard for Automatic Exchange of Financial Account Information.†**

### <sup>5</sup>FATCA

The Foreign Account Tax Compliance provisions (commonly known as FATCA) contained in the US Hire Act 2010.

### <sup>6</sup>Financial Institution

The term "Financial Institution" means a Custodial Institution, a Depository Institution, an Investment Entity<sup>12</sup>, or a Specified Insurance Company as defined for the purposes of FATCA. The same definitions apply to the UK's Agreements to Improve International Tax Compliance. Please see the relevant Tax Regulations for the classification definitions that apply to Financial Institutions.

### <sup>7</sup>Exempt Beneficial Owner

The term "Exempt Beneficial Owner" means

- i) a Governmental Entity;
- ii) an International Organisation (examples of which include The International Monetary Fund, The World Bank, The International Bank for Reconstruction and Development and The European Community – for a full list please see the relevant guidance issued by HMRC, or the IRS);
- iii) a Central Bank; or
- iv) a UK registered pension scheme, or non-UK pension scheme falling within the definition of Exempt Beneficial Owner for the purpose of FATCA.

### <sup>8</sup>Active Non-Financial Entity (NFE)

A NFE is any entity that is not a Financial Institution.

An Active NFE is any NFE that meets one of the following criteria:

- i) Less than 50 per cent of the NFE's gross income for the preceding calendar year or other appropriate reporting period is passive income (such as dividends, interest, royalties, annuities and rent) and less than 50 per cent of the assets held by the NFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;
- ii) The stock of the NFE is regularly traded on an established securities market or the NFE is a Related Entity<sup>13</sup> of an entity, the stock of which is traded on an established securities market;
- iii) The NFE is a government, a political subdivision of such government, or a public body performing a function of such government or a political subdivision thereof, or an entity wholly owned by one or more of the foregoing;
- iv) Substantially all of the activities of the NFE consist of holding (in whole or in part) the outstanding stock of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution. However the entity will not qualify as an Active NFE if it functions (or holds itself out to be) an investment fund, such as a Private Equity Fund, Venture Capital Fund, Leveraged Buyout Fund or any Investment Vehicle whose purpose is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes. In these circumstances the entity will be a passive NFE;
- v) The NFE is not yet operating a business and has no prior operating history, but is investing capital into assets with the intent to operate a business other than that of a Financial Institution; provided that the NFE shall not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFE;
- vi) The NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets, or is reorganising with the intent to continue or recommence operations in a business other than that of a Financial Institution;
- vii) The NFE primarily engages in financing and hedging transactions with, or for Related Entities<sup>13</sup> that are not Financial Institutions, and does not provide financing or hedging services to any entity that is not a Related Entity, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution; or
- viii) it is a Non-Profit Organisation<sup>9</sup>.

### <sup>9</sup>Non-Profit Organisation

The term "Non-Profit Organisation" means an entity that meets ALL of the following criteria:

- i) It is established and operated in its jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in its jurisdiction of residence and it is a professional organisation, business league, chamber of commerce, labour organisation, agricultural or horticultural organisation, civic league or an organisation operated exclusively for the promotion of social welfare;
- ii) It is exempt from income tax in its country of residence;
- iii) It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- iv) The applicable laws of the entity's country of residence or the entity's formation documents do not permit any income or assets of the entity to be distributed to, or applied for the benefit of, a private person or non-charitable entity other than pursuant to the conduct of the entity's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the entity has purchased; and
- v) The applicable laws of the entity's country of residence or the entity's formation documents require that, upon the entity's liquidation or dissolution, all of its assets be distributed to a governmental entity or other non-profit organisation, or escheat to the government of the entity's country of residence or any political subdivision thereof.

### <sup>10</sup>Passive Non-Financial Entity (NFE)

A Passive NFE is any NFE that is not an Active NFE<sup>8</sup>.

### <sup>11</sup>Controlling Persons

The term "Controlling Persons" means the natural persons who exercise control over an entity. The term "Controlling Persons" must be interpreted in a manner consistent with the Financial Action Task Force Recommendations.

### <sup>12</sup>Investment Entity†

The term "Investment Entity" means any entity:

- a. that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:
  - i) trading in money market instruments (cheques, bills, certificates of deposit, derivatives, etc.); foreign exchange; exchange, interest rate and index instruments; transferable securities; or commodity futures trading;
  - ii) individual and collective portfolio management; or
  - iii) otherwise investing, administering, or managing Financial Assets or money on behalf of other persons; or
- b. the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets, if the entity is managed by another entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or an Investment Entity described in (a) above.

An entity is treated as primarily conducting as a business one or more of the activities described in (a), or an entity's gross income is primarily attributable to investing, reinvesting, or trading in Financial Assets for purposes of (b), if the entity's gross income attributable to the relevant activities equals or exceeds 50 per cent of the entity's gross income during the shorter of: (i) the three-year period ending on 31 December of the year preceding the year in which the determination is made; or (ii) the period during which the Entity has been in existence. The term "Investment Entity" does not include an entity that is an Active NFE because it meets any of the criteria in (iv) to (vii) in the definition of Active NFE<sup>8</sup> above.

### <sup>13</sup>Related Entity

An entity is regarded as being related to another entity if one entity controls the other or the two entities are under common control - the "related entity group". For this purpose control is taken as including the direct or indirect ownership of more than 50 per cent of the vote and value in an entity.

### <sup>14</sup>Common Reporting Standard

The information standard for automatic exchange of information (AEOI).

† Text is required for OECD CRS purposes only.

## Please make sure you have:

- Signed the Application Form;
- Made your investment requirements clear;
- Completed the 'Politically Exposed Person' and the 'Self-Certification for Individuals' or 'Self-Certification for Entities' sections, as appropriate;
- Enclosed a cheque for the appropriate amount, payable to 'FundRock Partners Limited', if applicable. (Payment for investment in the OEIC can also be made by direct bank transfer);
- In order to comply with the UK law on money laundering, cheques must be drawn on your own account or a joint account with your spouse. If you ask your bank or building society or regulated financial adviser to draw the cheque, they must state on the cheque that the funds have been drawn from an account in your name. For example, the payee would be 'FundRock Partners Limited (Re: A. N. Other)'. Alternatively, ask them to write your name and address on the reverse of the cheque and add the bank/building society/financial adviser stamp and signature to confirm the money is drawn from your account. For a monthly savings plan, please ensure that verification of bank details is supplied with this application form.

Please return your completed application form (and cheque, if applicable) to:

**FundRock Partners Limited – Rayliant, PO Box 10849,  
Chelmsford CM99 2XT**

If you have any questions regarding the completion of this form please contact your financial adviser or the ACD on **01268 448658**.

Intermediary Comments:

Intermediary Stamp:

FCA Number (FRN):

Agency ref:

Discount %:

Commission payable % (non-advised business only):

Name of Registered Individual:

**FundRock Partners Limited** (registered in England and Wales No 4162989). Authorised and regulated by the Financial Conduct Authority

**Registered address details:** Bastion House, 6th floor, 140 London Wall, London, EC2Y 5DN

