

## **One-Time Certification for Czech Republic Withholding Tax Purposes regarding Debt Securities and Equities held in Clearstream**

**Please mail the completed and signed certificate to:**

Clearstream Services Prague Branch  
Tax Services Prague  
Futurama Business Park  
Building B  
Sokolovska 662/136b  
18600 Prague 8  
Czech Republic

Clearstream<sup>1</sup> account: \_\_\_\_\_ (the "Account")

We, the undersigned client of Clearstream, may hold from time to time in our securities Account securities issued by issuers organised, resident or incorporated in the Czech Republic (the "Securities").

We hereby certify that [*complete either Section 1. or Section 2. only and complete as appropriate*]:

1. We hold or will hold in the Account Securities [*tick one box only and complete as appropriate*]:  
 1.1 Exclusively for ourselves in our capacity of sole beneficial owner;

We hereby certify that:

- we qualify as the beneficial owner for tax purposes and are entitled to any related tax relief claimed, based on the applicable tax laws and regulations in the Czech market;
- such related tax relief entitlement to any related tax relief is valid for any such Securities sourced in the XXX market already held on the Account or to be held in the future in the Account;
- such related tax relief entitlement to any related tax relief is not restricted by any contractual obligation such as a lending or collateral arrangement

OR

1.2 Exclusively for one single third party beneficial owner (excluding ourselves):

Full name of beneficial owner:

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Residence for tax purposes (full address):

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AND

We hereby certify that the single beneficial owner holding the Securities in the Account (meaning the above-mentioned third party or ourselves, as the case may be) is [*tick one box only and complete as appropriate*]:

Resident for tax purposes in \_\_\_\_\_ and entitled to the application of withholding tax at \_\_\_\_\_ with respect to interest and/or dividend income paid on the Securities according to the Double Taxation Treaty (DTT) concluded between the Czech Republic and the beneficial owner's country of residence.

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<sup>1</sup> Clearstream refers to (i) Clearstream Banking S.A. registered office at 42, avenue John F. Kennedy, L-1855 Luxembourg and registered with the Luxembourg Trade and Companies Register under number B-9248 and (ii) Clearstream Europe AG (for Clearstream Europe AG clients using Creation accounts) with registered office at Mergenthalerallee 61, 65760 Eschborn, Germany, and registered in Register B of the Amtsgericht Frankfurt am Main, Germany under number HRB 7500.

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OR

- A pension fund, operating in the European Union (EU), Norway or Iceland, whose income is not attributable to a permanent establishment of the company in the Czech Republic and entitled to the application of 0% withholding tax on interest and/or dividend income paid on the Securities according to the Income Tax Act.

OR

- Resident for tax purposes in the EU, Norway or Iceland and entitled to the application of 15% withholding tax or the DTT rate, whichever is lower.

OR

- Resident for tax purposes in the Czech Republic and entitled to the application of 0% / 15% withholding tax with respect to income paid on Securities by Clearstream. We acknowledge and agree that it is the beneficial owner's responsibility to comply, through its annual fiscal declaration, with all legal and regulatory requirements imposed by Czech law in respect of withholding tax. Neither Clearstream nor its local depository have any direct or indirect liabilities towards the Czech Tax Authorities in this regard.

OR

- An International/Supranational organisation and entitled to the application of 0% withholding tax, with respect to income paid on Securities by Clearstream, based on its status or on the International Treaty, Foundation document or any Other applicable document signed between the Czech Republic and the International/Supranational organisation. We acknowledge and agree to obtain from the International/Supranational organisation the necessary documentation to prove its status and eligibility to tax exemption and to provide it to Clearstream before the first application, in addition to this OTC.

We hereby undertake to provide Clearstream with a new One-Time Certificate if, on any record date, we hold any such Securities on behalf of multiple beneficial owners, excluding ourselves. We acknowledge that, in order to receive interest and/or dividend payments at the withholding tax rate mentioned above, we must provide Clearstream, within the applicable deadlines, with (a) valid relevant Beneficial Owner document(s) related to a given interest or dividend payment.

OR

- 2. We hold or will hold the Securities for several third party beneficial owners (excluding ourselves).

We hereby undertake to provide Clearstream with a per-payment instruction, if applicable, via Swift (formatted MT565) or Xact Web Portal by each relevant interest or dividend payment date and the relevant Beneficial Owner document(s) related to a given interest or dividend payment.

We acknowledge and agree that it is the responsibility of beneficial owners that are residents of the Czech Republic and eligible to receive, through Clearstream, income payments without deduction or reduced rate of withholding tax to comply, through their annual fiscal declaration, with all legal and regulatory requirements imposed by Czech law in respect of withholding tax. Neither Clearstream nor its local depository have any direct or indirect liabilities towards the Czech Tax Authorities in this regard.

We irrevocably authorise Clearstream and its depository to submit this One-time Certificate or a copy hereof and any document submitted to Clearstream to the competent authorities, including the Czech Tax Authorities, in connection with any administrative or legal proceedings or official inquiries for which tax-related certificates are or would be relevant.

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We hereby accept full responsibility in the event of any claims made:

- i) for additional taxes, interest thereon or penalties levied by the competent authorities in connection with any payments made in reliance upon this One-time Certificate and the relevant Beneficial Owner document(s) and therefore indemnify Clearstream in respect of any penalties, taxes and interest thereon levied by the competent Czech authorities; and
- ii) in respect of any other costs incurred in connection with any action taken in reliance upon the contents of this One-time Certificate, such as but not limited to any liability of Clearstream to the withholding tax administrator based on Clearstream's reliance upon the contents of this One-time Certificate.

We understand that, in order to obtain any interest or dividend payment with respect to the Securities, either at a reduced withholding tax rate or exempt from withholding tax according either to a DTT concluded with the Czech Republic or to domestic legislation, it may be necessary for Clearstream to provide certain information to the Clearstream depository in the Czech Republic, the issuer of the Czech Securities, the paying agent and/or the Czech authorities. We understand that the Czech authorities may forward the information received from us in connection with this procedure to the tax authorities of the country(ies) of residence of the beneficial owner(s).

We hereby undertake to notify Clearstream promptly upon receipt of any information that would render any statement in this One-time Certificate, including any relevant Beneficial Owner document(s), untrue, incomplete or otherwise no longer applicable.

This One-Time Certificate is governed and construed in accordance with the Laws of the Grand Duchy of Luxembourg (for Clearstream Banking S.A. clients) and Germany (for Clearstream Europe AG clients using Creation accounts). The courts of Luxembourg (for Clearstream Banking S.A. clients) and the courts of Germany (for Clearstream Europe AG clients using Creation accounts) shall have exclusive jurisdiction for all legal proceedings relating thereto.

This One-Time Certificate shall be effective as of the date mentioned here below and shall remain valid for 5 years as from that date unless terminated by not less than ten (10) business days' written notice to Clearstream served to the above-mentioned address. Upon expiration of the validity, we undertake to provide Clearstream with a renewed One-Time Certificate.

We hereby certify that the above information is true, correct and complete and that I am (we are) authorised representative(s) of the client named below.

**For and on behalf of:**

Name of Clearstream client:

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Address:

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regarding Debt Securities and Equities held in Clearstream**

**Authorised signatories:**

Authorised signature

Name

Title

Place

Authorised signature

Name

Title

Date (DD/MM/YYYY)