

# Portfolio Interest Standing Instruction

**For QIC<sup>1</sup> omnibus account for exclusively FATCA compliant recipients being Non-U.S Beneficial owners and U.S exempt recipients**

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 Fund Centre<sup>1</sup> Account number(s): \_\_\_\_\_

We hereby certify that with respect to all Vestima Fund Securities<sup>2</sup> that are, or may be, held in the Account(s) from time to time, we, the Clearstream Fund Centre Client named below, are acting as a Qualified Intermediary not assuming primary Non-Resident Alien (NRA) withholding responsibility, nor backup withholding responsibility.

We further certify we hold the Vestima Fund Securities in an omnibus account for exclusively FATCA compliant Non-U.S. recipients and U.S exempt recipients.

We have provided Clearstream Fund Centre with a W-8 IMY and an OTC for QIC duly signed and completed certifying the above.

We hereby instruct Clearstream Fund Centre to pay:

- All interest subject to US Portfolio Interest exemption on U.S Vestima Fund securities without deduction of U.S withholding tax.<sup>3</sup>

## Notifications

We undertake to notify Clearstream Fund Centre at the latest by 10:00 Central European Time two (2) business days prior to any relevant Payment Date of any balance of the Vestima Fund Securities that is not covered by this one-time certificate or by the attached IRS Form(s) or documentation.

We hereby undertake to notify Clearstream Fund Centre promptly, and at the latest within thirty (30) calendar days, of any changes to the information included in this one-time certificate or the attached forms and documentation to which this instruction refers.

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<sup>1</sup> "Clearstream Fund Centre" refers to (i) Clearstream Fund Centre 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 Fund Centre AG (for Clearstream Fund Centre AG clients using Creation accounts and Clearstream Fund Centre AG clients) with registered office at 61, Mergenthalerallee, 65760 Eschborn, Germany and registered in Register B of the Amtsgericht Frankfurt am Main, Germany under number HRB 7500.

<sup>2</sup> A Vestima Fund Security generally refers to any investment fund instrument (mutual fund, ETF, AIF, etc.) that is processed through the Clearstream Vestima platform.

<sup>3</sup> Should interest not be eligible for portfolio exemption, we, Clearstream Fund Centre's (CFCL) client will advise CFCL accordingly via a payment allocation.

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We hereby undertake to provide Clearstream Fund Centre, within its deadline, with any additional statements, certifications, Forms, documentation, or information that may be required under i.) the Code or the regulations thereunder ii) or under the Luxembourg-U.S.A. Intergovernmental Agreement or implementing legislation or regulations thereunder (for Clearstream Fund Centre S.A. clients).

We hereby acknowledge and agree that in case of erroneous Chapter 4 status classification provided by ourselves, Clearstream Fund Centre will be required, as of ninety (90) calendar days starting at the date when the erroneous claim was made, to withhold on future payments, if any, the amount of tax that should have been withheld during this ninety (90) calendar days period.

## Reporting

We hereby appoint Clearstream Fund Centre and Clearstream Fund Centre's U.S. Tax Reporting Agent as our attorneys-in-fact with authority to collect and forward any necessary information or documents in connection with the Vestima Fund Securities to the IRS to the strict extent required under Chapter 3, Chapter 4 (if applicable) and Chapter 61 of the Code and the regulations thereunder.

We similarly appoint them to collect and forward the required information or documents to other people holding the relevant Vestima Fund Securities for the account of Clearstream Fund Centre or from whom Clearstream Fund Centre receive payments on such Vestima Fund Securities.

We irrevocably authorize Clearstream Fund Centre to disclose this certificate or any copy, attachments, or related information to the interested party, in the event of or threat of administrative or legal proceedings, an official inquiry or request of the IRS or other relevant authority, in which or to which this one-time certificate (including any certificate, Form, document or other information referred to herein) is, or would be, relevant.

We acknowledge and agree that Clearstream Fund Centre may disclose i) to the Luxembourg tax authorities the information or documents required to be collected and/or reported by Clearstream Fund Centre under the Luxembourg-U.S.A. Intergovernmental Agreement or implementing legislation or regulations thereunder (for Clearstream Fund Centre S.A. clients).

## Undertakings

We agree irrevocably that, in the event that:

- i) we fail to deliver any certificate, Form or document necessary under the Code, the regulations issued thereunder, the Qualified Intermediary Agreement published in Revenue Procedure 2022-43 as amended, the Luxembourg-U.S.A. Intergovernmental Agreement (for Clearstream Fund Centre S.A. clients) or implementing legislation or regulations thereunder or Clearstream Fund Centre Governing Documents; or
- ii) this certificate or any certificate, Form or information referred to herein and delivered by us to Clearstream Fund Centre is incorrect, outdated, incomplete or invalid for any reason within our control or within our knowledge; then we shall indemnify Clearstream Fund Centre for any resulting loss, claim, liability, or expense. This includes penalties and resulting additions

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to tax and interest thereon (and reasonable expenses of counsel). Moreover, Clearstream Fund Centre may charge our account or otherwise reclaim from us, and we will pay Clearstream Fund Centre on demand the amount of such charge or loss and any other expenses incurred by Clearstream Fund Centre in pursuing their claim.

We understand that:

- i) If this certificate or any attached or connected certificate, Form or document or any information furnished by us is found to be false, we may be liable for damages and could also be subject to such other sanctions as may be determined by the Secretary of the U.S. Department of the Treasury or the IRS or by the competent Luxembourg authority under the Luxembourg-U.S.A. Intergovernmental Agreement (for Clearstream Fund Centre S.A. clients), or implementing legislation or regulations thereunder; and
- ii) The U.S. Department of the Treasury or the IRS or the competent Luxembourg authority under the Luxembourg-U.S.A. Intergovernmental Agreement (for Clearstream Fund Centre S.A. clients), or implementing legislation or regulations thereunder to which we are subject may determine that any certificate or statement given by us will not be valid to prevent the imposition of the 30% U.S. withholding tax under Chapter 4 of the Code on any withholdable payment credited to our account.
- iii) Similarly, the U.S. Department of the Treasury or the IRS may determine that any certificate or statement given by us will not be valid to prevent the imposition of the 30% U.S. withholding tax on payments to us of interest that would otherwise qualify for exemption from such tax as "portfolio interest" within the meaning of sections 871(h) and 881(c) of the Code. The U.S. Department of the Treasury or the IRS may further determine that any certificate or statement given by us will be ineffectual in the preclusion of or entitlement to a reduction of the imposition of the 30% U.S. withholding tax on payments to us of dividends within the meaning of the Code.
- iv) In case Clearstream Fund Centre receives the income distributed by the Vestima Fund Securities net of U.S. withholding taxes (due to the absence of U.S. tax services offered by Clearstream Fund Centre 's upstream agents), Clearstream Fund Centre will not offer any U.S. tax relief at source nor reclaim service on such specific income payment. Any reclaim of U.S. withholding taxes will have to be applied directly to the IRS.

## Definitions

For the purposes of this One-Time Certificate:

- "Beneficial Owner" means, with respect to a Vestima Fund Security, any person that under sections 871(h)(2)(B)(ii) and 881(c)(2)(B)(ii) of the Code is considered to be the beneficial owner of that Vestima Fund Security.
- "Chapter 3 Reportable payment" means any income paid to the account and that is considered as falling under U.S. withholding and reporting as per Chapter 3 / Chapter 61 of the Code and regulations issued thereunder.

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- “Code” means the U.S. Internal Revenue Code of 1986 as amended. Any reference to any section of the Code shall mean such section of any successor provisions.
- “Form” means an IRS form, or such successor form as shall be adopted from time to time by the IRS and any substantially similar substitute form as may be permitted by the Code or the regulations thereunder.
- “Withholdable payment” means any payment of fixed or determinable annual or periodical gains, profits, and income from sources within the U.S., to the extent treated as a withholdable payment in Chapter 4 of the Code and regulations issued thereunder.

All terms that are used and not defined herein shall have the meanings given to them in the Code, the regulations issued thereunder, the Qualified Intermediary Agreement published in Revenue Procedure 2022-43 as amended, the Luxembourg-U.S.A Intergovernmental Agreement (for Clearstream Fund Centre S.A. clients or implementing legislation or regulations thereunder and Clearstream Fund Centre’s Governing Documents.

## Certification

This statement forms an integral part of the attached withholding certificate. We hereby certify, under penalties of perjury, that the above information is true, correct, and complete and that I am/we are an (the) authorised representative(s) of the client named below.

This One-Time Certificate is governed and construed in accordance with the laws of the Grand Duchy of Luxembourg (for Clearstream Fund Centre S.A. clients) and the courts of Luxembourg (for Clearstream Fund Centre S.A. clients) shall have exclusive jurisdiction for all legal proceedings relating thereto.

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Name of Clearstream Fund Centre client:

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Address:

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*Authorised signature*

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*Authorised signature*

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*Name*

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*Name*

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*Title*

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*Title*

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*Place*

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*Date (MM/DD/YYYY)*