



# BNY Mellon Charities Funds Application Form



**BNY MELLON**  
INVESTMENT MANAGEMENT

**Agent code:**

P32JH1W

**1 To the Manager of BNY Mellon Charities Funds** (block capitals)

Before you sign this form you should read the Prospectus of BNY Mellon Charities Funds (the "Trust") with respect to each fund in which you want to invest. The Prospectus can be found at [www.newton.co.uk](http://www.newton.co.uk) or call 0800 917 6594. Alternatively, you can email [charities@newton.co.uk](mailto:charities@newton.co.uk). It is recommended that you read and consider the Trust's Prospectus before completing this Charity Application Form for Units in the Trust. Please state the official name of the charity, as recorded by the relevant charity Regulator for England, Wales, Scotland or Northern Ireland or as detailed on the charity trust deed or document that establishes the charitable status of the organisation. We wish to purchase units in BNY Mellon Charities Funds on behalf of:

Name of Charity:	Are you an existing client? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Charity registration number:	and HMRC exemption number:	
Contact name: Mr/Mrs/Miss/Ms/other (please state)		
Registered address:		
Postcode:		
Tel No.:	Fax No.:	email:

Please note that by completing this Application Form you are disclosing personal information. Please see the Privacy Notice at Appendix 2, which details how your personal information will be used, shared and transferred.

## 2 Self-Certification

Tax regulations<sup>1</sup> require us to collect certain information about each investor's tax residency and tax classifications. Please complete the sections below as directed and provide any additional information that is requested. Please note that in certain circumstances (including if we do not receive a valid self-certification from you) we may be obliged to share information about your account(s) with the relevant tax authorities. If you have any questions about your organisation's classifications in the form below, please contact your tax adviser. **Please see explanatory notes for key definitions.** Should any information provided change in the future, please ensure you advise us promptly.

### Section 1: Tax residency information

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 Identification Number: \_\_\_\_\_

### Section 2A: Organisation's classification under FATCA<sup>2</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>5</sup>, please specify which type:

2.1 UK Financial Institution<sup>5</sup> or a Partner Jurisdiction Financial Institution<sup>6</sup>

2.2 Participating Foreign Financial Institution (in a non-IGA jurisdiction<sup>7</sup>)

2.3 Non-Participating Foreign Financial Institution<sup>8</sup> (in a non-IGA jurisdiction<sup>7</sup>)

2.4 Financial Institution resident in the USA or in a US Territory<sup>9</sup>

2.5 Exempt Beneficial Owner<sup>10</sup>

2.6 Deemed Compliant Foreign Financial Institution<sup>11</sup> (besides those listed above)

Where you have ticked 2.1 or 2.2 above, or you have ticked 2.6 and your organisation is a Registered Deemed Compliant Foreign Financial Institution, please provide your Global Intermediary Identification Number (GIIN):

Organisation's GIIN: \_\_\_\_\_

If your organisation is not a Financial Institution<sup>5</sup>, please specify the entity's FATCA status below:

2.7 Active Non-Financial Foreign Entity<sup>12</sup>

2.8 Passive Non-Financial Foreign Entity<sup>13</sup>

*(If you tick this box, please complete the Controlling Persons – Tax Residency Self-Certification Form in Appendix 1 for each of your Controlling Persons<sup>4</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<sup>16</sup>

- 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 listed in Explanatory Note 16.

### Section 3: Organisation's classification under the Common Reporting Standard (CRS)<sup>2</sup>

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

3.1 Financial Institution<sup>17</sup> (this includes Non-Reporting Financial Institutions<sup>18</sup> such as a pension scheme, government entity, international organisation and other entities listed in Explanatory Note 18).

3.2 A professionally managed Investment Entity<sup>23</sup> **outside** of a CRS Participating Jurisdiction<sup>24</sup>.  
*(If this box is ticked, please complete the Controlling Persons – Tax Residency Self-Certification Form in Appendix 1 for each of your Controlling Persons<sup>4</sup>.)*

3.3 Active Non-Financial Entity<sup>20</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>20</sup> (other than those listed in 3.3 above).

3.5 Passive Non-Financial Entity<sup>21</sup>.  
*(If you tick this box, please complete the Controlling Persons – Tax Residency Self-Certification Form in Appendix 1 for each of your Controlling Persons<sup>4</sup>.)*

**3 Constitution of the charity** (please tick one box to indicate how the charity is set up and briefly indicate the broad nature and purpose of the charity)

- By Trust Deed with individual Trustees
- Limited Company (please provide limited company number): \_\_\_\_\_
- Unincorporated Association (normally run by elected officers)
- Other (eg church body, Act of Parliament) – please specify: \_\_\_\_\_

Nature and purpose of the charity: \_\_\_\_\_

**4 How the investment is to be registered** (please tick one box and refer to section 9 for AML requirements)

- Register in the name of the charity (as above in Section 1 i.e. registered as Trustees of “ABC Charity”)
- Register in the name of the Trustees (named in Section 11 i.e. registered as “Trustee Name/(s)” as Trustees of “ABC Charity”)
- Register in the name of the nominee company (complete Section 6)

**5 Charity correspondent** (optional)

Please provide details of the charity correspondent to whom all correspondence will be sent, if different from Section 1.

Title (Mr/Mrs/Miss/Other): \_\_\_\_\_

Surname: \_\_\_\_\_ First name: \_\_\_\_\_

Address for correspondence: \_\_\_\_\_

Postcode: \_\_\_\_\_

**6 Nominee company details** (if applicable)

Please provide the full name and registered address of the nominee company.

Name of nominee company (and designation if applicable): \_\_\_\_\_

Name of Parent Company: \_\_\_\_\_ Name of parent company’s regulator and reference number: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_ Telephone number: \_\_\_\_\_

**7 Investment details** (block capitals)

Please specify below how much you wish to invest. The minimum investment for the Income and Accumulation Unit-Classes is £5,000. For the X Unit Classes, the minimum investment is as agreed. Subsequent minimum investments for the Income and Accumulation Unit-Classes is £2,500 and for the X Unit-Classes is as agreed. If you wish to take a regular income from your investment, please complete section 8 below. Payment can be made by cheque to BNY Mellon Fund Managers Limited.

	Income Units	Sterling Unit Class Accumulation Units	X Income Unit	X Accumulation Units	Currency Amount	OR	Number of Units
Newton Growth Fund	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Newton Growth and Income Fund	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

Please refer to the Prospectus of the Trust if you are not certain which units class is appropriate for you. Please fill in either currency amount or number of units column.

Applicants should note that management fees and other fees and expenses of the above sub-fund(s) will be charged to the Capital of that Sub-Fund. Thus, on redemptions of holdings unitholders may not receive back the full amount invested. This may also have the effect of lowering the capital value of their investment.

## 8 Treatment of income and disinvestment

**Income will be automatically reinvested to maximise your investment unless section 8 is completed.** No initial charge is applied to the reinvestment of income. Income will be paid quarterly. Please note that we are unable to make payments to third parties.

Please complete this section so that income and disinvestments can be paid by direct credit to your bank or building society. Any amendments to existing bank details must be notified by a separate letter.

Name of bank or building society account where you want income paid _____	Branch sort code: <input type="text"/> - <input type="text"/> - <input type="text"/>
Address of bank or building society _____	Bank/building society: <input type="text"/>
_____	Account number: <input type="text"/>
Postcode _____	Building society roll number: <input type="text"/>
	Account name: <input type="text"/>

## 9 Anti-money laundering documentation required

**All applicants must provide a copy of the charity's trust deed or other relevant governing document.**

**Charities** (if registered in the name of the charity) **For each trustee/individual signing this application form please enclose one item each from A and B** (signatories must include a minimum of two trustees who must enclose one item each from A and B.)

- a) A copy of photo identity (one of: valid passport, valid photocard driving licence (full or provisional) or national identity card)
- b) A copy of separate proof of address (one of: instrument of court appointment, current council tax demand letter or statement, current bank or credit card statement from an FCA or EU-regulated firm\*, utility bill\* dated within the last three months (\*not printed from the internet))

**Trustees** (if registered in the name(s) of Trustee(s) on behalf of the charity) **A minimum of two trustees must sign this application form. Please enclose one item each from A and B.**

- a) A copy of photo identity (one of: valid passport, valid photocard driving licence (full or provisional) or national identity card)
- b) A copy of separate proof of address (one of: instrument of court appointment, current council tax demand letter or statement, current bank or credit card statement from an FCA or EU-regulated firm\*, utility bill\* dated within the last three months (\*not printed from the internet))

To comply with the anti-money laundering regulations, we may undertake a search with an electronic data provider for the purposes of verifying your identity. To do so an electronic data provider may check details you supply against any particulars on any database (public or otherwise) to which they have access. They may also use your details in the future to assist other companies for verification purposes. A record of the search will be retained.

**Nominee company** (if registered in the name of the nominee) For the nominee company named on this application, please provide confirmation of the following

- 1) Name of regulated parent company
- 2) Name of regulator and reference number (ie FCA Firm Reference Number)

## 10 Client Money

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Any cash which we hold on your behalf as client money will be held at an appropriately regulated bank or institution of our choice in the UK in accordance with our obligations under the FCA's client money rules. No interest will be paid on such cash although we reserve the right to do so.

Any such bank or institution will hold the cash on our behalf in a trust account separate to any account used to hold money belonging to us in our own right. We conduct ongoing due diligence in relation to any bank or institution with whom we deposit cash on behalf of our clients.

To the extent we are permitted to exclude liability under law or regulation, we will not be responsible for any acts or omissions of the bank or institution we may appoint to hold client money.

If the bank or institution where your money is held becomes insolvent, we may or will be treated as an unsecured creditor by the bank or institution and, subject to the insolvency laws of the UK and any other relevant jurisdiction, we will have a claim on behalf of our clients. If however the bank or institution cannot repay all of its creditors, any shortfall may have to be shared pro rata between them. You may also be entitled as an individual to claim from the Financial Services Compensation Scheme up to £85,000 in respect of the total cash you hold directly and indirectly within the failed bank or institution.

If we run into financial difficulty and cannot meet our obligations, your cash will not be available to our creditors. You are also covered by the Financial Services Compensation Scheme. You may be entitled to compensation from this scheme. Further information is available from the Financial Services Compensation Scheme <http://www.fsccs.org.uk>.

## 11 Certifications/Representations/Warranties/Acknowledgments

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The applicant ("we/us") hereby applies for Units subject to and upon the terms set out in the Prospectus and any applicable supplement which is current as at the date of this application for Units (the "Prospectus"), the trust deed, (the "Deed") and this Application Form. We make the following certifications, representations, warranties and acknowledgments for and on behalf of ourselves and any customer on behalf of whom we are purchasing or redeeming Units (each a "Customer"):

1. We have full right, power and authority to purchase and redeem Units for our own account and/or for the account of each of our Customers, and
  - (a) the Units to which this application relates are and will at all times be held on behalf of a charity, the income of which is to be applied for charitable purposes;
  - (b) the charity is not precluded from participating in common investment schemes; and
  - (c) the charity is eligible to invest in the Fund.
2. We, having received and considered a copy of the Prospectus, hereby confirm that an application for Units is based solely on the Prospectus, the Deed, the application form and the most recent annual report and accounts of the Fund and (if issued after such report and accounts) its most recent unaudited semi-annual report.
3. We agree that any issue and allotment of Units to us or any Customer is subject to the provisions of the Prospectus, the Deed and this Application Form and we confirm that we are not relying on any information or representation other than such as may be contained in the Prospectus and the Deed.
4. We agree to notify the Fund immediately in writing if we become aware that any of the certifications, representations, warranties or acknowledgments are no longer accurate and, if necessary, to agree immediately either to sell or redeem a sufficient number of Units to allow the applicable certification, representation, warranty or acknowledgment to be made. In the absence of such notification, all certifications, representations, warranties and acknowledgments shall be deemed to be re-made and reconfirmed with each future application for Units, however made.
5. We have sufficient knowledge and experience in business and financial matters such that we are capable of evaluating the merits and risks of an investment by us or any of our Customers in the Fund. No oral representations have been made or oral information furnished to us or our advisors in connection with the purchase of Units that were in any way inconsistent with the Prospectus and the Deed.
6. We understand that the tax disclosure set forth in the Prospectus is of a general nature and may not cover the jurisdiction in which we or our Customers are subject to taxation and that the tax consequences of our purchase of Units for ourselves or on behalf of any of our Customers depends on our or their individual circumstances.
7. We shall provide the Fund, the Manager, the Trustee and/or any of their Associates with any additional information which they may reasonably request in connection with anti-money laundering, tax or other similar requirements in order to substantiate any representations made by us and we authorise the Fund, the Manager, the Trustee any/or any of their Associates or their respective agents to disclose such information relating to this application to such persons as they consider appropriate.
8. We acknowledge that the Manager reserves the right to reject our holding or any application in whole or in part.
9. We acknowledge that the Trustee will be entitled to cancel our holding or any of our rights in the Units, and any loss suffered by the Fund. In the case of default, we agree that the Manager will hold us liable, or jointly and severally liable with any agent of ours, for any loss sustained by the Manager as a consequence of a fall in the price of the Units and any issues suffered by the Fund.
10. We hereby confirm that we and our Customers are eligible to invest in Units of the Fund in accordance with the laws, rules and regulations to which we and our Customers are subject including, without limitation, the laws, rules and regulations in the country/territory in which we and our Customers are domiciled.
11. We hereby indemnify and hold harmless the Fund, the Manager and the Trustee and their respective Associates, delegates, officers, employees and agents (the "Indemnified Persons") from and against any and all actions, proceedings, claims and demands which may be brought or made against any Indemnified Person and any and all liabilities, losses, damages, costs and expenses (including without limitation, legal fees and expenses) incurred by any Indemnified Person as a result of our failure to ensure that the full amount of any subscription monies is sent by the latest time for receipt of such funds listed in the Prospectus in order for an investor to receive the net asset value calculated on the Business Day on which the subscription order is placed.
12. We hereby indemnify and hold harmless the Indemnified Persons from and against any and all actions, proceedings, claims and demands which may be brought or made against any Indemnified Person and any and all liabilities, losses, damages, costs and expenses (including without limitation, legal fees and expenses) incurred by any Indemnified Person as a result of any failure to process this application or otherwise if any information requested pursuant to (7) above has not been provided by us.
13. Instructions and Communications
  - (a) We authorise the Fund, the Manager and the Trustee to accept instructions by telephone or letter.
  - (b) The Fund, the Manager and the Trustee reserve the right not to act upon instructions until written confirmation has been received although the lack of any such confirmation will not invalidate any such instructions that have already been acted upon. The Fund, the Manager and the Trustee shall not act upon any instruction where the relevant entity reasonably believes that such action may not be practicable or might involve any party in a breach of any law, rule or regulation.
  - (c) We hereby acknowledge that any notice or document may be served by the Manager or the Trustee on us in the manner specified from time to time in the Prospectus. If we have provided an e-mail address or fax number to the Manager or the Trustee or any of their respective delegates, we consent to any such notice or document being sent to us by fax or electronically to the fax number or e-mail address previously notified to the Manager or the Trustee or any of their respective delegates which we acknowledge constitutes effective receipt by us of the relevant notice or document. We acknowledge that we are not obliged to accept electronic communication and may at any time choose to revoke our agreement to receive communications by fax or electronically by notifying the Manager in writing at the above address provided that our agreement to receive communications by fax or electronically shall remain in full force and effect pending receipt by the Manager of written notice of such revocation.
  - (d) In consideration of the Manager agreeing to accept and act in accordance with instructions received from us by fax or electronic delivery, we agree to indemnify and hold harmless the Indemnified Persons from and against any and all actions, proceedings, claims and demands which may be brought or made against any Indemnified Person and any and all liabilities, losses, damages, costs and expenses (including without limitation, legal fees and expenses) incurred by any Indemnified Person as a result of acting upon any such instructions.
  - (e) Should you wish to complain about any aspect of the service you have received, please contact the BNY Mellon Fund Managers Limited, Client Service Centre, PO Box 366, Darlington, DL1 9RF. A copy of the Manager's complaints handling procedure is available on request.
14. We acknowledge that where we have subscribed for Units through an intermediary, the intermediary does not act as an agent for the Fund, the Manager or the Trustee.
15. We understand that this subscription and any subsequent transactions are governed by English law.
16. Interest will not be paid on client money although BNY Mellon Fund Managers Limited reserves the right to do so. Where the payment of redemption proceeds is delayed due to outstanding renunciation or other outstanding documentation, the affected funds will remain in BNY Mellon Fund Managers Limited's client money account. Proceeds will be released upon receipt of renunciation. Terms not defined herein shall have the same meaning as set out in the Prospectus.

## 12 Client Classification

Under the Financial Conduct Authority Conduct of Business rules we are required to classify our investors. We, BNY Mellon Fund Managers Limited, classify you as a Retail Client unless otherwise notified. This means that you will have the maximum amount of protection available for complaints, compensation and will receive information in a straightforward way. However some clients e.g. professionals may not necessarily have the same rights under the Financial Ombudsman Service and the Financial Services Compensation Scheme. Further details may be found on our website - [www.bnymellonam.co.uk](http://www.bnymellonam.co.uk) under Client Classification. For the purposes of sales and redemptions, the applications will be treated as Retail.

## 13 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 BNY MFM immediately in the event the information provided in this form changes.

By signing and returning this Application Form, I/we\* can confirm that I/we\* have read and understand the current Prospectus and Key Investor Information Document (KIID) (\* delete as appropriate).

## 14 Signatories

Please ensure the application form is signed by at least two trustees that are authorised to sign on behalf of the charity. For nominee companies it must be signed by at least two authorised nominee company signatories. An incorporated charity should sign under seal if applicable.

Title (Mr/Mrs/Miss/Other)		
Surname	First name	Date of birth
Address		
		Capacity
Signature		
		Date

Title (Mr/Mrs/Miss/Other)		
Surname	First name	Date of birth
Address		
		Capacity
Signature		
		Date

Title (Mr/Mrs/Miss/Other)		
Surname	First name	Date of birth
Address		
		Capacity
Signature		
		Date

Title (Mr/Mrs/Miss/Other)		
Surname	First name	Date of birth
Address		
		Capacity
Signature		
		Date

Please indicate how many of the above signatories are required to sign future instructions.

Please note if you wish to add additional trustees/other individuals authorised to give subscriptions/redemption instructions on behalf of the charity, please provide an original certified list of signatories and please indicate how many and/or what combination are required to sign.

## 15 Application Checklist

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- Anti-money laundering documents included
- Payment included (a cheque made payable to BNY Mellon Fund Managers Limited)
- Applicable sections signed by authorised signatories

**Please send your application form together with your cheque:**

**BNY Mellon Fund Managers Limited,  
Client Service Centre,  
PO Box 366  
Darlington  
DL1 9RF.**

**Appendix 1**

**Controlling Persons – Tax Residency Self-Certification Form**

If you have indicated in Section 2A or Section 3 above that your organisation is a Passive Non-Financial Entity or a professionally managed Investment Entity outside of a CRS Participating Jurisdiction, you are required to provide information about each Controlling Person below. Please provide a completed Controlling Persons – Tax Residency Self-Certification Form for all Controlling Persons. Please note that all sections 1 to 8 below must be completed for this form to be valid.

**1. Name of Controlling Person:** \_\_\_\_\_

**2. Current residence and/or mailing address:** \_\_\_\_\_  
 \_\_\_\_\_

**3. Date of Birth:** \_\_\_\_\_

**4. Place of Birth (City/Town):** \_\_\_\_\_

**5. Country of Birth:** \_\_\_\_\_

**6. Residency/Residencies for Tax Purposes:** \_\_\_\_\_

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

Country of Tax Residency	Tax ID Number

**7. Type of Controlling Person:**

Please confirm what type of Controlling Person applies to you by ticking the appropriate box below:

Controlling Person of a legal person – control by ownership	<input type="checkbox"/>
Controlling Person of a legal person – control by other means	<input type="checkbox"/>
Controlling Person of a legal person – senior managing official	<input type="checkbox"/>
Controlling Person of a trust – settlor	<input type="checkbox"/>
Controlling Person of a trust – trustee	<input type="checkbox"/>
Controlling Person of a trust – protector	<input type="checkbox"/>
Controlling Person of a trust – beneficiary	<input type="checkbox"/>
Controlling Person of a trust – other	<input type="checkbox"/>
Controlling Person of a legal arrangement (non-trust) – settlor-equivalent	<input type="checkbox"/>
Controlling Person of a legal arrangement (non-trust) – trustee-equivalent	<input type="checkbox"/>
Controlling Person of a legal arrangement (non-trust) – protector-equivalent	<input type="checkbox"/>
Controlling Person of a legal arrangement (non-trust) – beneficiary-equivalent	<input type="checkbox"/>
Controlling Person of a legal arrangement (non-trust) – other-equivalent	<input type="checkbox"/>

**8. Declaration and Undertakings:**

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

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

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

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

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

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

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



## Explanatory Notes

The following explanatory notes are based on Tax Regulations as implemented in the UK. If you have any questions about your organisation's classification, please contact your tax adviser.

### Definitions common to FATCA and CRS

#### 1 Tax Regulations

The term "tax regulations" refers to regulations created to enable automatic exchange of information and include Foreign Account Tax Compliance Act (FATCA), and the OECD Common Reporting Standard (CRS) for Automatic Exchange of Financial Account Information<sup>2</sup>.

#### 2 FATCA and CRS

##### FATCA

FATCA regulations in sections 1471 to 1474 of the US Internal Revenue Code and the Treasury regulations and official guidance issued thereunder, as amended from time to time. FATCA regulations have been adopted in the UK by The International Tax Compliance Regulations 2015.

##### CRS

The OECD Common Reporting Standard (CRS) which has been adopted in the UK by The International Tax Compliance Regulations 2015.

#### 3 Non-Profit Organisation

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 unitholders 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.

#### 4 Controlling Persons

The term "Controlling Persons" means the natural persons who exercise control over an Entity. In the case of a trust, such term means the settlor, the trustees, the protector (if any), the beneficiaries or class of beneficiaries, and any other natural person exercising ultimate effective control over the trust, and in the case of a legal arrangement other than a trust, such term means persons in equivalent or similar positions. The term "Controlling Persons" must be interpreted in a manner consistent with the Financial Action Task Force Recommendations.

"Control" over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest in the Entity. A "control ownership interest" depends on the ownership structure of the legal person and is usually identified on the basis of a threshold applying a risk-based approach (e.g. any person(s) owning more than a certain percentage of the legal person, such as 25%). Where no natural person(s) exercises control through ownership interests, the Controlling Person(s) of the Entity will be the natural person(s) who exercises control of the Entity through other means. Where no natural person(s) is identified as exercising control of the Entity, the Controlling Person(s) of the Entity will be the natural person(s) who holds the position of senior managing official.

### Classifications under FATCA

#### 5 Financial Institution

The term "Financial Institution" means a Custodial Institution, a Depository Institution, an Investment Entity, or a Specified Insurance Company as defined for the purposes of FATCA<sup>2</sup>. Please see the relevant Tax Regulations for the classification definitions that apply to Financial Institutions.

#### 6 Partner Jurisdiction Financial Institution

A Partner Jurisdiction Financial Institution includes (a) any Financial Institution resident in the UK, but excluding any branches of such Financial Institution that are located outside the UK and (b) any UK branch of a Financial Institution not resident in the UK. For these purposes, "Partner Jurisdiction" means any jurisdiction that has in effect an agreement with the US to facilitate the implementation of FATCA.

#### 7 Non-IGA jurisdiction

A non-IGA jurisdiction is one where there is no Model 1 or 2 Intergovernmental Agreement in place with the US in respect of FATCA<sup>2</sup>.

#### 8 Non-Participating Foreign Financial Institution (NPFFI)

The term "Nonparticipating Foreign Financial Institution" means a non-participating FFI, as that term is defined in relevant U.S. Treasury Regulations, but does not include a United Kingdom Financial Institution or other Partner Jurisdiction Financial Institution other than a Financial Institution identified as a Non-participating Financial Institution pursuant to a determination by IRS or HMRC that there is significant non-compliance with FATCA obligations.

#### 9 US Territory

This term means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico or the US Virgin Islands.

#### 10 Exempt Beneficial Owner

The term "Exempt Beneficial Owner" means

- (i) a UK Governmental Organisation;
- (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.

#### 11 Deemed Compliant Foreign Financial Institution

The term "Deemed Compliant Foreign Financial Institution" means

- (i) Those entities classified as such in Annex II of the UK IGA, which includes Non-profit Organisations<sup>3</sup> and Financial Institutions<sup>5</sup> with a Local Client Base, or
- (ii) Entities which otherwise qualify as such under the FATCA Regulations.

#### 12 Active Non-Financial Foreign Entity (NFFE)

An Active NFFE is any Non-Financial Foreign Entity<sup>14</sup> that meets one of the following criteria:

- a) Less than 50 percent of the NFFE's gross income for the preceding calendar year or other appropriate reporting period is passive income and less than 50 percent of the assets held by the NFFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income;
- b) The stock of the NFFE is regularly traded on an established securities market or the NFFE is a Related Entity<sup>15</sup> of an Entity the stock of which is traded on an established securities market;
- c) The NFFE is organized in a U.S. Territory and all of the owners of the payee are bona fide residents of that U.S. Territory;
- d) The NFFE is a non-U.S. government, a government of a U.S. Territory, an international organization, a non-U.S. central bank of issue, or an Entity wholly owned by one or more of the foregoing;

- e) Substantially all of the activities of the NFFE consist of holding (in whole or in part) the outstanding stock of, and providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution, except that an NFFE shall not qualify for this status if the NFFE functions (or holds itself out) as 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 NFFE<sup>13</sup>;
- f) The NFFE 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 NFFE shall not qualify for this exception after the date that is 24 months after the date of the initial organization of the NFFE;
- g) The NFFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganizing with the intent to continue or recommence operations in a business other than that of a Financial Institution;
- h) The NFFE primarily engages in financing and hedging transactions with or for Related Entities that are not Financial Institutions, and does not provide financing or hedging services to any Entity that is not a Related Entity<sup>15</sup> provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution; or
- i) The Entity is a Non-Profit organisation<sup>3</sup>;
- j) The NFFE is an "Excepted NFFE" as described in relevant U.S. Treasury Regulations.
- (xi) a 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 States or any State; or
- (xii) a broker as defined in section 6045(c) of the U.S. Internal Revenue Code.

### Classifications under CRS

#### 17 Financial Institution

The term "Financial Institution" means a Custodial Institution, a Depository Institution, an Investment Entity<sup>23</sup>, or a Specified Insurance Company.

#### 18 Non-Reporting Financial Institution

The term "Non-Reporting Financial Institution" means any Financial Institution which is:

- a) a Governmental Entity, International Organisation or Central Bank, other than with respect to a payment that is derived from an obligation held in connection with a commercial financial activity of a type engaged in by a Specified Insurance Company, Custodial Institution, or Depository Institution;
- b) a Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; a Pension Fund of a Governmental Entity, International Organisation or Central Bank; or a Qualified Credit Card Issuer;
- c) any other Entity that presents a low risk of being used to evade tax, has substantially similar characteristics to any of the Entities described in (a) or (b) above, and is included in the list of Non-Reporting Financial Institutions provided to the European Commission by the UK;
- d) an Exempt Collective Investment Vehicle; or
- e) a trust to the extent that the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported pursuant to Section I with respect to all Reportable Accounts of the trust.

#### 19 Related Entity

An Entity is a "Related Entity" of another Entity if (i) either Entity controls the other Entity; (ii) the two Entities are under common control; or (iii) the two Entities are Investment Entities, are under common management, and such management fulfils the due diligence obligations of such Investment Entities. For this purpose control includes direct or indirect ownership of more than 50 % of the vote and value in an Entity.

#### 20 Active Non-Financial Entity (NFE)

The term "Active NFE" means any NFE<sup>22</sup> that meets any of the following criteria:

- a) less than 50 % of the NFE's gross income for the preceding calendar year or other appropriate reporting period is passive income and less than 50 % 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;
- b) the stock of the NFE is regularly traded on an established securities market or the NFE is a Related Entity<sup>19</sup> of an Entity the stock of which is regularly traded on an established securities market;
- c) the NFE is a Governmental Entity, an International Organisation, a Central Bank, or an Entity wholly owned by one or more of the foregoing;
- d) 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, except that an Entity does not qualify for this status if the Entity functions (or holds itself out) as 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<sup>21</sup>;
- e) 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 does not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFE;

#### 13 Passive Non-Financial Foreign Entity (PNFFE)

A Passive NFFE is any Non-Financial Foreign Entity<sup>14</sup> that is not an Active NFFE<sup>12</sup>.

#### 14 Non-Financial Foreign Entity (NFFE)

The term "NFFE" means any non-US Entity that is not treated as a Financial Institution<sup>5</sup>.

#### 15 Related Entity

An entity is a Related Entity of another entity if either entity controls the other entity, or the two entities are under common control. For this purpose control includes direct or indirect ownership of more than 50 per cent of the vote or value in an entity.

#### 16 Specified US Person

The term "Specified U.S. Person" means a U.S. Person, 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 member of the same expanded affiliated group, as defined in section 1471(e)(2) of the U.S. Internal Revenue Code, as a corporation described in clause (i);
- (iii) the United States or any wholly owned agency or instrumentality thereof;
- (iv) any State of the United States, any U.S. Territory, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality of any one or more of the foregoing;
- (v) any organization exempt from taxation under section 501(a) or an individual retirement plan as defined in section 7701(a)(37) of the U.S. Internal Revenue Code;
- (vi) any bank as defined in section 581 of the U.S. Internal Revenue Code;
- (vii) any real estate investment trust as defined in section 856 of the U.S. Internal Revenue Code;
- (viii) any regulated investment company as defined in section 851 of the U.S. Internal Revenue Code or any entity registered with the Securities Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-64);
- (ix) any common trust fund as defined in section 584(a) of the U.S. Internal Revenue Code;
- (x) any trust that is exempt from tax under section 664(c) of the U.S. Internal Revenue Code or that is described in section 4947(a)(1) of the U.S. Internal Revenue Code;

- f) 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;
- g) the NFE primarily engages in financing and hedging transactions with, or for, Related Entities 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
- h) the Entity is a non-profit organisation<sup>3</sup>.

#### **21 Passive Non-Financial Entity (PNFE)**

A Passive NFE is any Non-Financial Entity<sup>22</sup> that is not an Active NFE, or an Investment Entity<sup>23</sup> that is not a Participating Jurisdiction<sup>24</sup> Financial Institution.

#### **22 Non-Financial Entity (NFE)**

The term "NFE" means any Entity that is not a Financial Institution<sup>17</sup>.

#### **23 Investment Entity**

The term "Investment Entity" means any Entity:

- a) which 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 subparagraph A(6)(a) of the EU Directive on Administrative Co-operation 2014/107/EU.

An Entity is treated as primarily conducting as a business one or more of the activities described in subparagraph A(6)(a), or an Entity's gross income is primarily attributable to investing, reinvesting, or trading in Financial Assets for the purposes of subparagraph A(6)(b), if the Entity's gross income attributable to the relevant activities equals or exceeds 50% 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 that Entity meets any of the criteria in subparagraphs D(8)(d) through (g) of the EU Directive on Administrative Co-operation 2014/107/EU.

This paragraph shall be interpreted in a manner consistent with similar language set forth in the definition of "financial institution" in the Financial Action Task Force Recommendations.

#### **24 Participating Jurisdiction**

The term "Participating Jurisdiction" means a jurisdiction which has an agreement in place to exchange information in accordance with the OECD Common Reporting Standard.

## Appendix 2

### Privacy Notice

BNY Mellon Fund Managers Limited (BNYMFM) as the Manager of the Trust takes its data protection and privacy responsibilities seriously. This notice provides a short summary of the purposes for which your personal information is being used, shared and transferred. Please note that your personal data as provided in this Application Form and with respect to your unitholding of the Trust is and will be collected and held by BNYMFM as the Trust's Manager. Further information about how your personal information is collected, used and shared, the lawful basis on which such information is used and your associated legal rights is provided in THE BANK OF NEW YORK MELLON EMEA PRIVACY STATEMENT, which is accessible at the 'PRIVACY' link on the BNY Mellon Investment Management website ([www.bnymellonim.com](http://www.bnymellonim.com)). Please note that where reference is made in the full privacy statement to "BNY Mellon Data Subjects" that this will also include the collection of information about you if you are a unitholder of, or prospective investor in, the Trust.

Your personal information will be used for the following purposes:

- for the provision of financial services and the administration of your investment/s;
- to confirm or update client records and to manage your relationship with us;
- to carry out 'know-your-customer checks', anti-money laundering screening and other identity checks as required by law and to meet our regulatory obligations;
- to conduct due diligence and to screen against sanctions lists;
- for the prevention and detection of fraud and other crimes;
- for compliance with legal, regulatory and tax obligations and guidance;
- in connection with legal proceedings or for obtaining legal advice; and
- to analyse the performance of IT systems, monitor usage of resources and systems and to improve products, services and the usability of technology and tools.

Your personal information may be shared within the BNY Mellon Group to: The Bank of New York Mellon (International) Limited (as the administrator for the Trust), BNY Mellon Investment Management EMEA Limited (as the global distributor and promoter of the Trust) and any sub-distributors it may have appointed within the BNY Mellon Group, BNY Mellon entities with whom you may have terms of business in support of your investment in the Trust (e.g. a fee agreement that facilitates an alternative charging structure within a unit class) and other or successor BNY Mellon service providers that may be appointed from time-to-time to provide services in connection with the Trust.

Your personal information may be shared with selected third parties including the trustee and depositary of the Trust, the auditors to the Trust and to BNYMFM, legal and other professional advisers to the Trust and to BNYMFM, appropriate authorities (including, without limitation, any tax or regulatory authorities or relevant government departments), and agencies and organisations working to prevent fraud in financial services or similar service providers.

BNYMFM will transfer or store your personal information in other countries, including those outside Europe, under the protection of appropriate safeguards.