



CLT International and Centenal

Assumptions, Exclusions, Qualifications and Disregards

In this document the term **CRS** means the Standard for the Automatic Exchange of Financial Account Information in Tax Matters developed by the Organisation for Economic Co-operation and Development, published on 21 July, 2014 (including the Commentaries on the Common Reporting Standard and the Implementation Handbook, Second Edition), and subject thereto, where the context admits, the definitions and rules of construction contained in the CRS shall apply.

Pursuant to and in accordance with clause 7.2 of the Subscription Agreement and in any and all events, the following Assumptions, Exclusions, Qualifications and Disregards shall apply to and be deemed for all purposes to be incorporated into each CRS report automatically generated and created by the CRS Expert Software (**Software**) (**Report**).

1. Assumptions

The following assumptions shall be deemed to apply to a Report:

- 1.1 All Financial Account values are assumed to exceed USD\$250,000 at all material times;
- 1.2 The choice, arrangement and attachment of icon(s) used in the creation of a client structure is assumed to be accurate and intentional, and each icon dataset, related CRS classification and criteria correctly assessed and determined;
- 1.3 The choice of country of tax residence (place of effective control) for each relevant icon used in the creation of a client structure is assumed to be accurate, and that the tax residence requirements of each relevant jurisdiction have been correctly assessed and determined;
- 1.4 All relevant due diligence requirements imposed by CRS Sections I, II, III, IV, V, VI and VII have been correctly assessed by the user in determining the matters contained in sub-clauses 1.2 and/or 1.3;
- 1.5 Jurisdictions have implemented the CRS into domestic law in identical form and with and subject to the same provisions as contained in the CRS.
- 1.6 A Foundation is considered to be a “*corporation*” for the purpose of application of the Related Entity rules where the Foundation controls a corporation the stock of which is

regularly traded on one or more established securities markets within the terms of CRS Section VIII D. 2 (i);

- 1.7 All Financial Accounts are assumed to be held for the personal benefit of the Account Holder unless otherwise indicated.
- 1.8 A Cash Value Insurance Contract is issued by a Reporting Financial Institution that is not effectively prevented by law from selling such Contract to a resident of a relevant Reportable Jurisdiction;
- 1.9 An Annuity Contract is issued by a Reporting Financial Institution that is not effectively prevented by law from selling such Contract to a resident of a relevant Reportable Jurisdiction;
- 1.10 The holder of a Cash Value Insurance Contract or Annuity Contract is able to access the Cash Value or change the beneficiary of the Contract;
- 1.11 An Investment Entity within the terms of CRS Section VIII A. 6 (b) is not regulated as a collective investment vehicle within the terms required by CRS Section VIII B. 9.
- 1.12 A natural person (individual) shall be assumed to hold a controlling ownership interest and qualify as a Controlling Person of a company where the individual holds more than 25% of the ordinary shares in the company.
- 1.13 It is assumed that a Unit Trust, Partnership and Limited Liability Partnership may be a Related Entity of an Entity the stock of which is regularly traded on an established securities market provided that more than 50% of the vote and value in the relevant Entity is directly or indirectly held.
- 1.14 It is assumed that a Fund Manager appointed under the terms of a Unit Trust that qualifies as an Investment Entity [CRS Section VIII A. 6 (b)] holds an Equity Interest in the Unit Trust.
- 1.15 It is assumed that a Trustee of a Unit Trust that qualifies as an Investment Entity [CRS Section VIII A. 6 (b)] holds an Equity Interest in the Unit Trust.
- 1.16 It is assumed that the holder of Units in a Unit Trust that qualifies as an Investment Entity [CRS Section VIII A. 6 (b)] holds an Equity Interest in the Unit Trust but is not a beneficiary of the Unit Trust.
- 1.17 It is assumed that the General Partner of a Limited Partnership that qualifies as an Investment Entity [CRS Section VIII A. 6 (b)] is entitled to share in the profits of the partnership and therefore holds an Equity Interest in the Partnership.

2. Exclusions

For the purposes of each Report the following exclusions specifically apply:

- 2.1 The Report does not express and is not to be read as expressing any opinion in relation to any other method by which countries and jurisdictions may exchange financial and/or tax related information whether on request, spontaneously or otherwise, and whether as a result of a double tax agreement, international convention or other arrangement.
- 2.2 The Report does not express and is not to be read as expressing any opinion in relation to application or otherwise of the US Foreign Account Tax Compliance Act (FATCA).
- 2.3 The Report does not express and is not to be read as expressing any opinion in relation to application of Council Directive 2011/16/EU (as amended) of the European Union.
- 2.4 The Report does not express and is not to be read as expressing any opinion in relation to domestic regulatory and/or legislative adoption of the CRS by any jurisdiction implementing the CRS. Domestic regulatory and/or legislative adoption of the CRS is assumed to be in conformity with and on terms identical with the CRS.
- 2.5 An Annuity Contract is deemed to exclude a non-investment-linked, non-transferable immediate life annuity that is issued to an individual and monetises a pension or disability benefit provided under an account that is an Excluded Account.

3. Qualifications

For the purposes of each Report the following qualifications specifically apply:

- 3.1 The Report shall only relate to Financial Accounts held and/or created during the calendar year 2019 and not any other period whether before or after 2019.
- 3.2 It is not necessary to identify or verify the Controlling Person of a Passive NFE Account Holder where a corporation the stock of which is regularly traded on one or more established securities markets or a majority owned subsidiary of such a company is present in the ownership chain satisfies the requirements contained in the Interpretative Note on Recommendation 10 to the FATF Recommendations (2012).
- 3.3 It is not necessary to identify or verify the Controlling Person of an Entity that holds an Equity Interest in a Trust or Foundation that qualifies as a Investment Entity [CRS Section VIII A. 6 (b)] where a corporation the stock of which is regularly traded on one or more established securities markets or a majority owned subsidiary of such a company is present in the ownership chain and satisfies the requirements contained in the Interpretative Note on Recommendation 10 to the FATF Recommendations (2012).
- 3.4 Subject to 3.3 above, it is necessary to identify the Controlling Person of a Financial Institution that holds an Equity Interest in a Trust or Foundation that qualifies as an Investment Entity [CRS Section VIII A. 6 (b)].

- 3.5 The list of jurisdictions with which a jurisdiction has agreed to exchange financial account information or receive financial account information **Reportable Jurisdictions** is based solely on the information contained (from time to time) on the OECD Automatic Exchange Portal, International Framework for the CRS, Activated Exchange Relationships for CRS Information <http://www.oecd.org/tax/automatic-exchange/international-framework-for-the-crs/exchange-relationships/> and is assumed for all purposes to be accurate and up to date. Reasonable efforts are made to ensure the Software and OECD Exchange Portal information correspond. The Reportable Jurisdiction list is not maintained on a live or real time basis.
- 3.6 A jurisdiction's **Participating Jurisdictions** list is deemed at minimum to equal its Reportable Jurisdictions list based solely on the information contained (from time to time) on the OECD Automatic Exchange Portal, International Framework for the CRS, Activated Exchange Relationships for CRS Information <http://www.oecd.org/tax/automatic-exchange/international-framework-for-the-crs/exchange-relationships/> and is assumed for all purposes to be accurate and up to date. Reasonable efforts are made to periodically review and update the Participating Jurisdictions list contained in the Software to ensure it is accurate and up to date. The Participating Jurisdictions list is not maintained on a live or real time basis.
- 3.7 The list of jurisdictions taken to have implemented the CRS into domestic law (enacted primary legislation) **Implementing Jurisdictions** is solely based on the information contained (from time to time) on the OECD Automatic Exchange Portal, CRS Implementation and Assistance, CRS by jurisdiction table <http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/crs-by-jurisdiction/#d.en.345489> and is assumed for all purposes to be accurate and up to date. Reasonable efforts are made to periodically review and update the Implementing Jurisdictions list contained in the Software to ensure the Software and OECD Exchange Portal information correspond. The Implementing Jurisdictions list is not maintained on a live or real time basis.
- 3.8 Unless otherwise indicated, where a jurisdiction does not appear on the list of Implementing Jurisdictions it is considered for all purposes not to have implemented the CRS into domestic law.
- 3.9 A guarantee member of an Investment Entity [CRS Section VIII A. 6(b)] charitable company is not capable of holding an Equity Interest.
- 3.10 The Report does not express and is not to be read as expressing any opinion in relation to whether a particular legal person or legal arrangement is capable of creation or establishment under the laws of a particular jurisdiction or whether a jurisdiction would recognize the existence of a particular legal person or legal arrangement.
- 3.11 The Report does not constitute and shall not be relied on as constituting legal advice and/or assistance in relation to or in connection with any particular domestic rule and/or regulation implementing the CRS.

4. Disregards

For the purposes of each Report the following disregards specifically apply:

- 4.1 The Report is for the sole benefit of the licensed user. The Report may not be relied on by any other person or used for any purpose which may constitute the provision of legal advice or assistance and for the avoidance of doubt may not be relied on for the purpose of discharging or complying with any domestic rule or regulation requiring the reporting of any particular Account Holder and/or Financial Account and/or any Controlling Person(s) related to any such Account Holder.
- 4.2 The Report does not cover or apply any particular domestic XML Schema data fields, tables or otherwise.
- 4.3 The Report does not contain the concept of an “*undocumented account*” as provided in the CRS.
- 4.4 For the purpose of determining the Controlling Person of a Passive NFE Account Holder the presence of either a Financial Institution and/or an Active NFE in the ownership chain shall be disregarded.