


# PARTICULARS UPDATE FORM

## NON-INDIVIDUAL



A member of Prudential plc (UK) 

### DOCUMENTATION CHECKLIST

For successful processing of this application, please enclose the relevant documents.  
This application will be rejected and considered void if the form and/or supporting documents are incomplete.

Certified true copies of the following documents (where applicable):  
For company incorporated in Malaysia (certified by company secretary and/or director):

**Change of Company Name:**  
☐ Please complete Part 1 and Part 8 ☐ Form 13 or Form under Section 28 of the Companies Act 2016

**Change of Registered Office Address:**  
☐ Please complete Part 1 and Part 8 ☐ Form 44 or Notice under Section 46 of the Companies Act 2016

**Change of Contact Person's Details:**  
☐ Please complete Part 1, Part 2 and Part 8

**Change of Bank Details or Payment Details**  
☐ Please complete Part 1, Part 3 and Part 8

**For FATCA and CRS Self-Certification:**  
☐ Please complete Part 1, Part 4, Part 5, Part 6, Part 7 (if applicable) and Part 8  
☐ Relevant US tax forms (FATCA)

**To update the change of Authorised Signatories:**  
☐ Please complete Part 1 and Part 8  
☐ Board Resolution with specimen signatures of all authorised signatories  
☐ Photocopy of NRIC or Passport of all authorised signatories who are not directors  
☐ Form 49 or Notice under Section 58 of the Companies Act 2016 (if applicable)

**To update the latest Return of Allotment of Share:**  
☐ Please complete Part 1 and Part 8 ☐ Form 24 or Notice under Section 78 of the Companies Act 2016

**To update the latest list of Directors, Managers and Secretaries:**  
☐ Please complete Part 1 and Part 8 ☐ Form 49 or Notice under Section 58 of the Companies Act 2016

**To update the Memorandum of Association or the Constitution:**  
☐ Please complete Part 1 and Part 8 ☐ Memorandum of Association or the Constitution

### PRINCIPAL BUSINESS ACTIVITIES CODE AND DESCRIPTION

Code	Description	Code	Description
10	Debt Collector	17	Real Estate (e.g. Real Estate Brokers, Developers, Investment in Real Estate etc.)
11	Freelance Traders	18	Cash Intensive Business (e.g. Convenience Store, Restaurants, Car Parking Service, Pawn Brokers, Recycling Business, etc.)
12	Money Service Business (e.g. Money Changer, Money Transfer Agent at Remittance Agency)	19	Night Club, Karaoke, Lounge, Sauna, Bar
13	Casinos, Betting and Other Gambling Related Activities	20	Snooker Centre, Internet Café Operator
14	Weapons or Armament Related Business Manufacturers, Dealers and Intermediaries	21	Federal or State Government, Regulatory Authority
15	Business in Valuable or Precious Goods (e.g. Arts, Antiques, Diamonds, Gold)	22	Audit, Accounting, Tax, Legal Firm, Company Secretary
16	Business in High Value/Low Density Goods (e.g. Mobile Phones, Computer Chips, Pharmaceutical Products, Textiles etc.)	23	Financial Institution, Capital Market Institution/ Intermediary
		99	Others

### FATCA AND CRS SELF-CERTIFICATION FORM (NON-INDIVIDUAL) INSTRUCTIONS

**Please read these instructions before completing the form.**

- In compliance with relevant tax authorities requirement, Eastspring Investments Berhad is obliged to collect certain information about each investor's tax arrangement. Please complete the sections below as directed and provide any document that is requested. Please note that we may be legally obliged to share this information, and other financial information with respect to the financial accounts to which this form relates to Lembaga Hasil Dalam Negeri ("LHDN"), who in turn may share the information with relevant tax authorities of other jurisdictions where you are a tax resident.
- If you have any questions on how to define your tax residency status or US indicia, please consult your tax adviser or visit the OECD automatic exchange of information portal at (<http://www.oecd.org/tax/transparency/automaticexchangeofinformation.htm>) or IRS FATCA website (<https://www.irs.gov/businesses/corporations/foreign-account-tax-compliance-act-fatca>). Eastspring Investments Berhad does not provide tax advice.
- If any of the information provided changes or becomes incorrect due to change in circumstances, please advise of these changes promptly within 30 days from such changes with the supporting documents, as applicable.
- You may find summaries of key defined terms in the Appendix.
- **If you're filling in this form on behalf of someone else:**  
Please tell us in what capacity you are signing in Part 8.





## PARTICULARS UPDATE FORM

### NON-INDIVIDUAL

Master Account Number

☐ Apply to all accounts listed above

Please complete in BLOCK LETTERS and BLACK INK only. All fields are mandatory.

#### 1 COMPANY/ORGANISATION DETAILS

##### Name of Organisation

(as per Certificate of Incorporation/Registration)

##### Company Registration No.

##### Date of Incorporation/Registration

 -  - 

##### Country of Incorporation/Registration\*

☐ Malaysia ☐ Others (Please specify)

##### Correspondence Address

**Note:** "Hold mail" or "c/o" is not acceptable.  
 (Please leave blank if there is no change to your address provided earlier)

 Postcode  City 

 State  Country\* 

##### Registered Office Address

☐ Same as Correspondence Address

(Please tick above box or provide registered office address and please leave blank if there is no change to your address provided earlier)

 Postcode  City 

 State  Country\* 

##### Principal Place of Business

☐ Same as Correspondence Address

(Please tick above box or provide registered office address and please leave blank if there is no change to your address provided earlier)

 Postcode  City 

 State  Country\* 

##### Contact No.\*

 Office  -  -  Office Extension 

 Fax  -  - 

Country code\*

Area code

Phone number

##### Principal Business Activities

 Code  Others (Please specify) 

(Kindly refer to list of codes available under Principal Business Activities Code and Description section)

##### Financial Year End

 -  (only applicable for wholesale fund investors)

dd

mm

#### PLEASE COMPLETE THIS SECTION (MANDATORY)

Affiliations	Company Status	Source of Funds
Are you an affiliate company of a group of companies?		
<input type="checkbox"/> Yes (Please provide corporate structure)	<input type="checkbox"/> Bumiputra controlled	<input type="checkbox"/> Disposal of non-core business asset/investments
<input type="checkbox"/> No	<input type="checkbox"/> Non-Bumiputra controlled	<input type="checkbox"/> Fund raising exercise such as rights issue
	<input type="checkbox"/> Non-Malaysian controlled	<input type="checkbox"/> Cash in hand/surplus funds/working capital

#### 2 CONTACT PERSONS' DETAILS

##### Name of Contact Person 1

##### Designation

##### Department

##### Contact No.\*

 Office  -  -  Office Extension 

 Mobile  -  - 

 Fax  -  - 

Country code\*

Area code

Phone number

##### Office Email Address

By providing your email address and/or mobile number to us, we have your consent to communicate and send information to you via email and/or short messages (sms).  
 Notices delivered via email or sms to you are deemed to have been sent and received on the date such message is sent.

### 3 PAYMENT DETAILS

Bank Account Holder Name			
	Malaysian Ringgit (MYR)	Other Currency Classes (e.g. AUD/JPY/USD/SGD)	
Currency	MYR		
Bank Name			
Account No.			

#### 4 FATCA DECLARATION OF SPECIFIED U.S. PERSON FOR TAX PURPOSES

☐ Yes (Please provide relevant US tax forms)\* U.S. TIN No. | | | | | | | | | | | | ☐ No

**Type of Entity** (You are allowed to tick ( ✓ ) more than one option)

<input type="checkbox"/> Financial Institution <sup>(1)</sup> (Please provide relevant US tax forms)*	<input type="checkbox"/> Non-listed Company
<input type="checkbox"/> Trust <sup>(2)</sup> (Please provide relevant US tax forms)*	Does any US Person/entity <sup>(3)</sup> , directly or indirectly, own more than 25% of the organisation?
<input type="checkbox"/> Listed Company	<input type="checkbox"/> <b>Yes</b> (Please provide relevant US tax forms)* <input type="checkbox"/> <b>No</b>
Trading Name/Stock Code: <input type="text"/>	<input type="checkbox"/> Others <input type="text"/>
Exchange Name: <input type="text"/>	

- Any trust subject to US supervision and substantially controlled by a US person

## 5 CRS DECLARATION OF TAX RESIDENCY

Country/Jurisdiction of tax residence	TIN	If no TIN available, please provide the appropriate reason
1.		
2.		
3.		

\* If country/citizenship is United States of America (US), please provide the relevant US tax forms. Please note that nothing on this form is intended to constitute as tax advice. Please seek independent tax advice or refer to [www.irs.gov](http://www.irs.gov) for more information on the appropriate tax form to be provided.

6

CRS CLASSIFICATION

**Note:** The information provided in this section is for CRS, please note CRS classification may differ from your FATCA classification in Part 4.

(6.1) Financial Institutions under CRS

If the Account Holder is a Financial Institution, please tick ( ✓ ) one of the below categories:

Type of Entity	Categories	Tick ( ✓ )
Financial Institution	Custodial Institution, Depository Institution or Specified Insurance Company	<input type="checkbox"/>
	Investment Entity, except an investment entity that is managed by another financial institution (e.g. with discretion to manage the entity's assets) and located in a non-participating jurisdiction	<input type="checkbox"/>

(6.2) Non Financial Institutions under CRS

If the Entity is Non Financial Institution, please tick ( ✓ ) one of the below categories:

Type of Entity	Categories	Tick ( ✓ )
Active NFE	<b>Listed company</b>	
	Trading name _____ Exchange name _____	<input type="checkbox"/>
	Related entity of a listed company of _____	<input type="checkbox"/>
	Exchange name _____	<input type="checkbox"/>
	A governmental entity, an international organisation, a central bank, or an entity wholly owned by one or more of the foregoing entities	<input type="checkbox"/>
	Others (e.g. non-listed entity or non-profit organisation)	<input type="checkbox"/>
Passive NFE	Investment Entity that is managed by another financial institution and located in a non-participating jurisdiction (if this box is ticked, please complete Part 7 and include individual self certification forms for each of your Controlling Persons.)	<input type="checkbox"/>
	NFE that is not an active NFE (if this box is ticked, please complete Part 7 and include individual self certification forms for each of your Controlling Persons.)	<input type="checkbox"/>

7 CONTROLLING PERSONS (if applicable)

**Note:** Complete this part if the Account Holder is a passive NFE for CRS.  
Please indicate the name of all controlling person(s) of the Account Holder in the table below: (each individual controlling person has to complete the Controlling Person Self-Certification Form)

Name of Controlling Person(s)	
1. _____	3. _____
2. _____	4. _____

8 DECLARATION AND SIGNATURE(S) (AS PER BOARD RESOLUTION)

I/We declare that to the best of my/our knowledge and belief, all information given in this form is true and accurate.

I/We hereby declare that I/we am/are the sole legal and beneficial owner of all the monies invested with Eastspring.

I/We am/are not acting as a nominee for any undisclosed third party and none of the investment monies invested with Eastspring was derived from proceeds from an unlawful activity as defined by the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001.

I/We hereby agree to indemnify Eastspring against all actions, suits, proceedings, claims, damages, and losses which may be suffered by Eastspring as a result of any inaccuracy of declarations herein.

I/We understand that the information supplied by me/us is covered by the full provisions of the terms and conditions governing the Account Holder's relationship with Eastspring Investments Berhad ("Eastspring") setting out how Eastspring may use and share the information supplied by me/us.

I/We acknowledge that the information contained in this form and information regarding the Account Holder and any Reportable Account(s) may be reported to the tax authorities of the country/ jurisdiction in which this account(s) is/are maintained and exchanged with tax authorities of another country/jurisdiction or countries/ jurisdictions in which the Account Holder may be tax resident pursuant to intergovernmental agreements to exchange financial account information.

I/We certify that I/we am/are authorised to sign for the Account Holder in respect of all the account(s) to which this form relates.

I/We declare that all statements made in this declaration are, to the best of my knowledge and belief, correct and complete.

I/We undertake to advise Eastspring within 30 days of any change in circumstances which affects the tax residency status of the Account Holder identified in Part 1 of this form or causes the information contained herein to become incorrect or incomplete (including any changes to the information on controlling persons identified in Part 6), and to provide Eastspring with a suitably updated self-certification and Declaration within 30 days of such change in circumstances.

**For sole proprietor only**  
☐ I hereby declare that I am the sole legal and beneficial owner of all the monies invested with Eastspring.

**For non-listed entities**  
☐ I/We hereby declare that the company is NOT any one of the following:  
(a) Financial institution; (b) A trust; (c) A non-listed entity of which more than 25% is directly/indirectly owned by any US person/entity; or (d) Required to file a tax return to the United States.

<div>Authorised Signatory 1</div> <div>Date:</div>	<div>Authorised Signatory 2</div> <div>Date:</div>	<div>Company stamp</div>
<div>Note: If signing under a power of attorney please also attach a certified copy of the power of attorney.</div>		<div>Capacity:</div>

## Definitions

**“Agent”** means any authorised distributor of Funds managed by Eastspring and refers to registered Eastspring Unit Trust Consultants, Institutional Unit Trust Advisers and Corporate Unit Trust Advisers.

**“Applicant”** means a person or entity applying to update particulars with Eastspring.

**“Deed”** means the deeds or master deeds for the respective Funds and any other supplemental deeds and master supplemental deeds that may be entered into between Eastspring and the Trustee and registered with the Securities Commission Malaysia.

**“Eastspring”** means Eastspring Investments Berhad.

**“Fund” or “Funds”** means any unit trust schemes managed by Eastspring.

**“Offering Document”** means the relevant prospectus or information memorandum of the Funds, and supplemental prospectus or information memorandum thereto (if any) and product highlights sheet for the Fund(s), issued by Eastspring and has been lodged or deposited (where applicable) with the Securities Commission Malaysia.

**“Reportable Jurisdiction”** means a jurisdiction with which an obligation to provide financial account information is in place and that is identified in a published list.

**“TIN”** (including “functional equivalent”) means Taxpayer Identification Number or a functional equivalent in the absence of a TIN. A TIN is a unique combination of letters or numbers assigned by a jurisdiction to an individual or an Entity and used to identify the individual or Entity for the purposes of administering the tax laws of such jurisdiction. Further details of acceptable TINs can be found at the OECD automatic exchange of information portal.

Some jurisdictions do not issue a TIN. However, these jurisdictions often utilise some other high integrity number with an equivalent level of identification (a “functional equivalent”). Examples of that type of number include, for individuals, a social security/insurance number, citizen/personal identification/ service code/number, and resident registration number.

**“Trustee”** means Deutsche Trustees Malaysia Berhad

**“Unit Holder”** means the person or persons or entity for the time being who is registered pursuant to the Deed as a holder of units of the Fund(s).

## Active NFE

An NFE is an Active NFE if it meets any of the criteria listed below. In summary, those criteria refer to:

- active NFEs by reason of income and assets;
- publicly traded NFEs;
- Governmental Entities, International Organisations, Central Banks, or their wholly owned Entities;
- holding NFEs that are members of a nonfinancial group;
- start-up NFEs;
- NFEs that are liquidating or emerging from bankruptcy;
- treasury centres that are members of a nonfinancial group; or
- non-profit NFEs.

An entity will be classified as Active NFE if it 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 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;

- (e) the NFE is not yet operating a business and has no prior operating history, (a “start-up NFE”) 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;
- (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 NFE meets all of the following requirements (a “non-profit NFE”):
  - (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 jurisdiction 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 NFE's jurisdiction of residence or the NFE's formation documents do not permit any income or assets of the NFE 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 NFE's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the NFE has purchased; and
  - (v) the applicable laws of the NFE's jurisdiction of residence or the NFE's formation documents require that, upon the NFE'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 NFE's jurisdiction of residence or any political subdivision.

**Note:** Certain entities (such as U.S. Territory NFEs) may qualify for Active NFE status under FATCA but not Active NFE status under the CRS.

## Control

“Control” over an Entity is generally exercised by the natural person(s) who ultimately has a controlling ownership interest (typically on the basis of a certain percentage (e.g. 25%)) in the Entity. 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/are identified as exercising control of the Entity through ownership interests, then under the CRS the Reportable Person is deemed to be the natural person who holds the position of senior managing official.

## Controlling Person(s)

“Controlling Persons” are the natural person(s) who exercise control over an entity. Where that entity is treated as a Passive Non-Financial Entity (“Passive NFE”) then a Financial Institution is required to determine whether or not these Controlling Persons are Reportable Persons. This definition corresponds to the term “beneficial owner” described in Recommendation 10 and the Interpretative Note on Recommendation 10 of the Financial Action Task Force Recommendations (as adopted in February 2012).

In the case of a trust, the Controlling Person(s) are the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiaries, or any other natural person(s) exercising ultimate effective control over the trust (including through a chain of control or ownership). Under the CRS the settlor(s), the trustee(s), the protector(s) (if any), and the beneficiary(ies) or class(es) of beneficiaries, are always treated as Controlling Persons of a trust, regardless

of whether or not any of them exercises control over the activities of the trust.

Where the settlor(s) of a trust is an Entity then the CRS requires Financial Institutions to also identify the Controlling Persons of the settlor(s) and when required report them as Controlling Persons of the trust.

In the case of a legal arrangement other than a trust, “Controlling Person(s)” means persons in equivalent or similar positions.

## Custodial Institution

The term “Custodial Institution” means any Entity that holds, as a substantial portion of its business, Financial Assets for the account of others. This is where the Entity's gross income attributable to the holding of Financial Assets and related financial services equals or exceeds 20% of the Entity's gross income during the shorter of: (i) the three-year period that ends on 31 December (or the final day of a non-calendar year accounting period) prior to the year in which the determination is being made; or (ii) the period during which the Entity has been in existence.

## Depository Institution

The term “Depository Institution” means any Entity that accepts deposits in the ordinary course of a banking or similar business.

## Entity

The term “Entity” means a legal person or a legal arrangement, such as a corporation, organisation, partnership, trust or foundation. This term covers any person other than an individual (i.e. a natural person).

## Financial Institution

The term “Financial Institution” means a “Custodial Institution”, a “Depository Institution”, an “Investment Entity”, or a “Specified Insurance Company”. Please see the relevant domestic guidance and the CRS for further classification definitions that apply to Financial Institutions.

## Investment Entity

The term “Investment Entity” includes two types of Entities:

- (i) an Entity that primarily conducts as a business one or more of the following activities or operations for or on behalf of a customer:
  - 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;
  - Individual and collective portfolio management; or
  - Otherwise investing, administering, or managing Financial Assets or money on behalf of other persons.
 Such activities or operations do not include rendering non-binding investment advice to a customer.
- (ii) “The second type of “Investment Entity” (“Investment Entity managed by another Financial Institution”) is any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets where the Entity is managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity.

## Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution

The term “Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution” means any Entity the gross income of which is primarily attributable to investing, reinvesting, or trading in Financial Assets if the Entity is (i) managed by a Financial Institution and (ii) not a Participating Jurisdiction Financial Institution.

## Investment Entity managed by another Financial Institution

“An Entity is “managed by” another Entity if the managing Entity performs, either directly or through another service provider on behalf of the managed Entity, any of the activities or operations described in clause (i) above in the definition of ‘Investment Entity’.

An Entity only manages another Entity if it has discretionary authority to manage the other Entity's assets (either in whole or part). Where an Entity is managed by a mix of Financial Institutions, NFEs or individuals, the Entity is considered to be managed by another Entity that is a Depository Institution, a Custodial Institution, a Specified Insurance Company, or the first type of Investment Entity, if any of the managing Entities is such another Entity.



**APPENDIX – DEFINITIONS (CONTINUED)****NFE**

An “NFE” is any Entity that is not a Financial Institution.

**Non-Reporting Financial Institution**

A Non-Reporting Financial Institution” means any Financial Institution that is:

- 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;
- 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;
- an Exempt Collective Investment Vehicle; or
- a Trustee-Documented Trust: a trust where the trustee of the trust is a Reporting Financial Institution and reports all information required to be reported with respect to all Reportable Accounts of the trust;
- any other defined in a country's domestic law as a Non-Reporting Financial Institution.

**Passive NFE**

Under the CRS a “Passive NFE” means any NFE that is not an Active NFE. An Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution is also treated as a Passive NFE for purposes of the CRS.

**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% of the vote and value in an Entity.

**Reportable Account**

The term “Reportable Account” means an account held by one or more Reportable Persons or by a Passive NFE with one or more Controlling Persons that is a Reportable Person.

**Reportable Person**

A “Reportable Person” is defined as a “Reportable Jurisdiction Person”, other than:

- a corporation the stock of which is regularly traded on one or more established securities markets;
- any corporation that is a Related Entity of a corporation described in clause (i);
- a Governmental Entity;
- an International Organisation;
- a Central Bank; or
- a Financial Institution (except for an Investment Entity described in Sub Paragraph A(6) b) of the CRS that are not Participating Jurisdiction Financial Institutions. Instead, such Investment Entities are treated as Passive NFE's.)

**Specified Insurance Company**

The term “Specified Insurance Company” means any Entity that is an insurance company (or the holding company of an insurance company) that issues, or is obligated to make payments with respect to, a Cash Value Insurance Contract or an Annuity Contract.

**By applying to update particulars with Eastspring, the Applicant agrees that:**

The Applicant will be bound by these Terms and Conditions and the terms of the constituting documents such as the Deed and Offering Documents of the relevant Fund(s) in respect of all transactions. Where there are conflicting terms, the terms of the relevant Deed shall prevail.

**1. Confirmation Advices/Statements**

Confirmation advices, statements, cheques and other documents shall be sent at the risk of the Applicant to the Applicant's address as detailed in the Master Account Opening Form (“MAOF”) or the Particulars Update Form (“the Form”), if updated. If the Applicant fails to notify Eastspring in writing of any errors in the confirmation advice within 14 calendar days, or in the statement within 30 days of issue, the Applicant shall be deemed to have waived any right to raise any objection to pursue any remedies against Eastspring or the relevant Trustee(s).

**2. Notices**

All notices and other documents shall be sent at the risk of the Applicant to the Applicant's permanent address as stated in the Form. Unless due to wilful default or negligence of Eastspring, Eastspring shall not be responsible for any inaccuracy, interruption, error, delay or failure in transmission or delivery of any notices via whatever means as agreed by the Applicant, or for any equipment failure or malfunction.

Eastspring shall not be liable for any direct or indirect consequential losses arising from the foregoing.

**3. Indemnity**

- 3.1. The Applicant hereby indemnifies Eastspring and the Trustee and any of their Agents against any actions, proceedings, claims, losses, damages, costs and expenses which may be brought, suffered or incurred by any or all of them arising either directly out of or in connection with this Form or in connection with Eastspring accepting, relying on or failing to act on any instructions given by or on behalf of the Applicant unless due to the wilful default or negligence of Eastspring.
- 3.2. The Applicant acknowledges and accepts that Eastspring has absolute discretion to rely on facsimile confirmation from the Applicant and undertakes to indemnify and hold harmless Eastspring, its employees and Agents against all costs, expenses, loss of liabilities, claims and demands arising out of relying on the Applicant's confirmation.

**4. Tax Implications**

The Applicant/Unit Holder shall be acquainted with the relevant tax laws and exchange control regulations in force in the countries of domicile, registration or incorporation of the entity. The Applicant/Unit Holder shall be liable to pay and/or settle all the relevant taxes payable by the Applicant/Unit Holder in accordance to the relevant laws and exchange control regulations in force in the countries of domicile, registration or incorporation of the entity. Eastspring in compliance with the Malaysian Tax law and any other applicable law shall deduct the relevant applicable taxes accordingly wherever applicable to the Applicant/Unit Holder without prior notification to the Applicant/Unit Holder. All the deduction will be incorporated in the statements of the applicant and Eastspring shall not be held liable for whatsoever reasons for any tax payments deducted on behalf of the Applicant/Unit Holder according to the Malaysia's Tax regulations and any other applicable law.

**5. Sophisticated Investors**

Only a sophisticated investor(s) may invest in a Wholesale Fund. The Guidelines on Unlisted Capital Market Products under the Lodge and Launch Framework defines a sophisticated investor to include any person who comes within any of the categories of investors as set out below:

- (a) a holder of a Capital Markets Services License.
- (b) a unit trust scheme, prescribed investment scheme or private retirement scheme.
- (c) Bank Negara Malaysia.
- (d) a closed end fund approved by the Commission.
- (e) a bank licensee or insurance licensee as defined under the Labuan Financial Services and Securities Act 2010.
- (f) an Islamic bank licensee or takaful licensee as defined under the Labuan Islamic Financial Services and Securities Act 2010.
- (g) a licensed bank as defined in the Financial Services Act 2013 or a licensed Islamic bank as defined in the Islamic Financial Services Act 2013.
- (h) a licensed insurer as defined in the Financial Services Act 2013 or a licensed takaful operator as defined in the Islamic Financial Services Act 2013.
- (i) a company that is registered as a trust company under the Trust Companies Act 1949 which has assets under management exceeding RM10 million or its equivalent in foreign currencies; or
- (j) a corporation that is a public company under the Companies Act 1965 which is approved by the Commission to be a trustee under the Act and has assets under management exceeding RM10 million or its equivalent in foreign currencies.
- (k) a corporation with total net assets exceeding RM 10 million or its equivalent in foreign currencies based on the last audited accounts; or
- (l) a partnership with total net assets exceeding RM 10 million or its equivalent in foreign currencies.
- (m) a statutory body established by an Act of Parliament or an enactment of any State.
- (n) a pension fund approved by the Director General of Inland Revenue under section 150 of the Income Tax Act 1967.

**6. Miscellaneous**

- 6.1. References to persons included entities, references to one gender include both genders and references to the singular includes the plural and vice versa.
- 6.2. The Form is personal to the Applicant and cannot be changed, assigned or transferred in any way by the Applicant.
- 6.3. Eastspring reserves the right to vary the Terms and Conditions at any time without notifying the Applicant.

**7. Compliance with laws in various jurisdictions**

- 7.1. Eastspring may be obliged to comply with or, at its sole and absolute discretion, choose to have regard to, observe or fulfil the requirements or expectations of the laws, regulations, orders, guidelines, codes, market standard, good practices and requests of or agreements with public, judicial, taxation, governmental and other regulatory authorities or self-regulatory bodies (the “Authorities” and each an “Authority”) in various jurisdictions relating to any matter in connection with its business including without limitation, tax compliance, anti-money laundering, sanctions, terrorism financing or the prevention and detection of crime as amended, promulgated and introduced from time to time (the “Applicable Requirements”).
- 7.2. In this connection, Eastspring may disclose the particulars or any information concerning Unit Holders and/or their investments to any Authority in connection with its compliance or adherence (voluntary or otherwise) with the Applicable Requirements.
- 7.3. If a Unit Holder where applicable, does not:
  - (a) provide to Eastspring in a timely manner with the information or documents required as set out in the Offering Document/Eastspring Master Account or additional information as requested from time to time; and/or
  - (b) provide to Eastspring with information or documents that are up-to-date, accurate or complete,

such that Eastspring is unable to ensure its ongoing compliance or adherence (whether voluntary or otherwise) with the Applicable Requirements, the Unit Holder, where applicable, accepts and agrees that Eastspring may take such steps as it deems fit as set out in the Offering Document of the relevant Funds.

**8. Account Holder**

The “Account Holder” is the person listed or identified as the holder of a Financial Account by the Financial Institution that maintains the account. This is regardless of whether such person is a flow-through Entity. Thus, for example, if a trust or an estate is listed as the holder or owner of a Financial Account, the trust or estate is the Account Holder, rather than the trustee or the trust's owners or beneficiaries. Similarly, if a partnership is listed as the holder or owner of a Financial Account, the partnership is the Account Holder, rather than the partners in the partnership. A person, other than a Financial Institution, holding a Financial Account for the benefit or account of another person as agent, custodian, nominee, signatory, investment advisor, or intermediary, is not treated as holding the account, and such other person is treated as holding the account.

**9. Financial Account**

A Financial Account is an account maintained by a Financial Institution and includes: Depository Accounts; Custodial Accounts; Equity and debt interest in certain Investment Entities; Cash Value Insurance Contracts; and Annuity Contracts.