

BAY CAPITAL ICAV
Bay Capital India First – UCITS
APPLICATION FORM

Introduction

This application form ("Application Form") is to be used for investing in Bay Capital India First – UCITS (the "Sub-Fund"), a sub-fund of Bay Capital ICAV (the "Fund"). Unless otherwise defined or inconsistent with the context herein, capitalised terms used in this Application Form are used and have the same meanings as are applicable in the most up to date Prospectus of the Fund, supplement relating to the Sub-Fund and any addenda or schedule thereto (collectively for the purposes of this Application Form, the "Prospectus"). This Application Form together with the relevant anti-money laundering ("AML") documentation (as set out in Appendix III) constitutes the Applicant's agreement to subscribe for and enter into one or more transactions for the subscription and the repurchase of Share Classes of the Sub-Fund referred to below in accordance with the terms of the Prospectus and the Instrument of Incorporation.

All Applicants wishing to subscribe for Shares must first complete **Sections 1 to 8 and page 16** of this Application Form (along with the relevant appendices and all required supporting documentation in connection with AML procedures (as set out in Appendix III)), sign and date it where indicated and send the **completed and signed** copy of this document along with other required documentation to the Administrator electronically. The Applicant acknowledges that the execution and submission of this Application Form and supporting documentation electronically only, without a need to submit originals, is still subject to acceptance of the application by the Fund (or its delegate on its behalf).

The Administrator:

**c/o Apex Fund Services (Ireland) Limited 2nd Floor, Block 5 Irish Life Centre
Abbey Street Lower Dublin, D01 P767 Ireland**

Telephone: +353 1 567 9247

Email: ApexTA@apexgroup.com

To be valid, the Application Form must be signed by the Applicant. Where there is more than one Applicant, each Applicant must sign. If the application is on behalf of a company or other entity, it must be signed by an authorised signatory of the company or entity. If the Application Form is signed under power of attorney, a copy of the power of attorney must be furnished in support of the signature. If the Application Form is not fully completed to the satisfaction of the Administrator, the application may not be accepted. The Sub-Fund may reject the Applicant's offer to subscribe in whole or in part in its sole discretion for any reason whatsoever. The offer to subscribe shall be deemed to be accepted only after the Sub-Fund issues a contract note (or similar evidence of the issue of Shares) to the Applicant. The Applicant agrees that unless and until its offer to subscribe is accepted by the Sub-Fund, the Applicant shall not be entitled to cancel, terminate or revise its offer to subscribe. If this application is rejected, this Application Form and all related documents executed by the Applicant may be returned by the Sub-Fund or the Administrator on request. Amendments to the Applicant's registration details and payment instructions will only be effected on receipt of original written instructions or electronic instructions from the relevant Applicant, which have been duly authorised.

Please note that the fully completed Application Form where required must be returned to the Administrator via the methods mentioned above if this is your first investment in the Shares of the Sub-Fund. No repurchase or transfer requests will be processed prior to receipt of this Application Form if required and supporting documentation as required in connection with AML procedures set out in Appendix III.

1. SUBSCRIPTION DETAILS:

I/We hereby apply to purchase Shares of the following Share Class(es) in the Sub-Fund:

Amount applied for:

Share Class Name	Initial Issue Price	Minimum Initial Investment Amount*	Minimum Additional Investment Amount*	Minimum Holding Amount*	Hedged	Accumulating / Distributing	ISIN Code	Units	Amount
F	USD 10	USD 1,000	USD 1,000	USD 1,000	-	Accumulating			
F	USD 10	USD 1,000	USD 1,000	USD 1,000	-	Distributing			
F	GBP 10	GBP 1,000	GBP 1,000	GBP 1,000	-	Accumulating			
F	GBP 10	GBP 1,000	GBP 1,000	GBP 1,000	-	Distributing			
F	EUR 10	EUR 1,000	EUR 1,000	EUR 1,000	-	Accumulating			
F	EUR 10	EUR 1,000	EUR 1,000	EUR 1,000	-	Distributing			
FP	USD 10	USD 1,000	USD 1,000	USD 1,000	-	Accumulating			
FP	USD 10	USD 1,000	USD 1,000	USD 1,000	-	Distributing			
FP	GBP 10	GBP 1,000	GBP 1,000	GBP 1,000	-	Accumulating			
FP	GBP 10	GBP 1,000	GBP 1,000	GBP 1,000	-	Distributing			
FP	EUR 10	EUR 1,000	EUR 1,000	EUR 1,000	-	Accumulating			
FP	EUR 10	EUR 1,000	EUR 1,000	EUR 1,000	-	Distributing			
I	USD 10	USD 1,000	USD 1,000	USD 1,000	-	Accumulating			
I	USD 10	USD 1,000	USD 1,000	USD 1,000	-	Distributing			
I	GBP 10	GBP 1,000	GBP 1,000	GBP 1,000	-	Accumulating			
I	GBP 10	GBP 1,000	GBP 1,000	GBP 1,000	-	Distributing			
I	EUR 10	EUR 1,000	EUR 1,000	EUR 1,000	-	Accumulating			
I	EUR 10	EUR 1,000	EUR 1,000	EUR 1,000	-	Distributing			
A	USD 10	USD 1,000	USD 1,000	USD 1,000	Yes	Accumulating			
A	USD 10	USD 1,000	USD 1,000	USD 1,000	Yes	Distributing			
A	GBP 10	GBP 1,000	GBP 1,000	GBP 1,000	Yes	Accumulating			
A	GBP 10	GBP 1,000	GBP 1,000	GBP 1,000	Yes	Distributing			
A	EUR 10	EUR 1,000	EUR 1,000	EUR 1,000	Yes	Accumulating			
A	EUR 10	EUR 1,000	EUR 1,000	EUR 1,000	Yes	Distributing			

Note:

The Minimum Initial Investment Amount in the Sub-Fund for each Share Class will be the amount as set out in the table above of the relevant currency and the Minimum Additional Investment Amount in the Sub-Fund for each Share Class will be the amount as set out in the table above of the relevant currency.

Applications received by 12 noon (Irish time) on the relevant Subscription Day will be processed on that Subscription Day. Applications received after this deadline will be dealt with as detailed in the Prospectus.

2. PAYMENT DETAILS

I/We have instructed/undertake to instruct my/our bank	<hr/> (State name of bank and branch)
to remit by telegraphic transfer for value (net of all bank charges) by	<hr/> (State value date)
Dollar / Euro / Pound	<hr/> (State amount)

To:

Please request that your
bank issues a:
MT103 message to:

USD

Currency	USD
Beneficiary Bank	The Northern Trust International Banking Corporation, New Jersey
SWIFT	CNORUS33
Fedwire ABA	026001122
CHIPS ABA	0112
Account Name	Bay Capital ICAV - Bay Capital India First - UCITS - Col USD
Reserved Account Number	352237 20010
Details of Payment	Investor Name/Reference:

Please request that your
bank issues a:
MT103 message to:

EUR

Currency	EUR
Intermediary Bank	Barclays Bank PLC, Frankfurt
Intermediary Bank SWIFT	BARCDEFF
Beneficiary Bank	The Northern Trust International Banking Corporation, New Jersey
Account Number	0210472800
Beneficiary Bank SWIFT	CNORUS33
Account Name	Bay Capital ICAV - Bay Capital India First - UCITS -
Reserved Account Number	686147 20019
Details of Payment	Investor Name/Reference:

Please request that your bank issues a:
MT103 message to:

GBP

Currency	GBP
Intermediary	Barclays Bank PLC, London
Intermediary Bank SWIFT	BARCGB22
Intermediary Sort Code	203253
Beneficiary Bank	The Northern Trust International Banking Corporation, New Jersey
Beneficiary Bank Swift	CNORUS33
Beneficiary Bank Account Number	53529495
Account Name	Bay Capital ICAV - Bay Capital India First - UCITS - Col GBP
Reserved Account Number	686154 20019
Details of Payment	Investor Name/Reference:

Payment of the total subscribed amount in respect of each Class must be made in the relevant currency of the relevant Class by electronic bank transfer according to the payment instruction as of this Subscription Agreement.

The Applicant notes that interest is not earned on early subscription settlement. If timely settlement is not made, an application may lapse and be cancelled at the Applicant's cost. Failure to make good settlement by the subscription payment date may result in the Sub-Fund exercising any of the remedies as set out in the Prospectus.

Each Applicant must complete one of the declarations set out in Appendix I or Appendix II and the FATCA / CRS Self Certification at Appendix V. Please complete Appendix II only if you are an Exempt Irish Investor.

3. REGISTRATION DETAILS:

Registered Shareholder Name (in full)	
Registered Address	
Type of Legal Entity	
Tax ID	
Nationality/Place of Incorporation	
Telephone No	
Email Address	
Contact Person	
Further Contact Details	
Mailing Address (if different to registered address)	
Mailing Country	
Postal Code	

Corporate investors that wish to trade via an e-dealing platform please provide the following details:

Trading Platform (Calastone, EMX ISO, [●], other)	
DN for Statement Issuance	
DN for Order Placement	

4. BANK ACCOUNT DETAILS FOR SUBSCRIPTIONS:

These are mandatory and are related to the bank and accounts from which the subscription amounts will be paid. The account must be in the name(s) of the account holder(s) or the account holder must be identified.

Bank:	Bank / BIC / Sort Code:
Account holder / Name of the account:	IBAN Number:

In case payments are made through a correspondent bank, please provide the following information:

Bank:	Bank / BIC / Sort Code:
Account holder / Name of the account:	IBAN Number:

Please note that in order to prevent third party payments, we require subscription payments to come from a bank account in the name of the registered account holder.

Note: The trade cut-off time for subscriptions and for the receipt of this Application Form is detailed in the section entitled “Key information for buying and selling” in the supplement to the Prospectus in respect of the Sub-Fund. Subscription monies must be received within 2 Business Days following the relevant Dealing Day (as defined in the Prospectus).

Note for Financial Institutions and Intermediaries:

In order to comply with EU Regulation 2015/847, and FATF SR VII, we require the following information to be included for all subscription wires made to the Sub-Fund.

For MT 103, Field 50a is to be used for Ordering Customer’s information (either option below, as appropriate)

TAG	Field Name	Information to include
50a (option K)	Ordering Customer	The Payer’s account number, name and address
50a (option A)	Ordering Customer	The Payer’s account number and the BIC

For MT 202, Field 52

TAG	Field Name	Information to include
52A	Ordering Institution	The Ordering Institution’s identifier code (BIC)

5. BANK ACCOUNT DETAILS FOR REDEMPTION PAYMENTS:

Please provide below full banking details for the bank account from which the appropriate subscription settlement is being received. Settlement can only be accepted by telegraphic transfer from a bank account in the Applicant’s own name. The below bank details provided will be maintained on file as the redemption account of record for this investment and future payments back to the relevant Shareholder(s) will be returned to this account unless a written request for change has been received and approved.

Full Bank Name	
Full Bank Address	
Full Bank Account Name	
Bank Account Number	
IBAN Number	
Bank BIC/ Code/ ABA Number	
Currency	
FFC Details	

Redemptions will not be processed on non-cleared/verified accounts.

Correspondent/ Intermediary Bank Details

Full Bank Name	
Full Bank Address	
Full Bank Account Name	
Bank Account Number	
IBAN Number	
Bank BIC/ Code/ ABA Number	
Currency	
FFC Details	

A request to change bank account details **MUST BE MADE IN WRITING TO THE ADMINISTRATOR AND MUST BE ACCOMPANIED** by a bank statement or banker’s reference to evidence the new bank account details provided are for a bank account in your sole or joint name.

6. DECLARATIONS:

1. I/We hereby represent and warrant that:
 - i. I/We have the legal capacity, power, authority and all necessary consent to make this application, to execute and deliver this Application Form and to invest in the Sub-Fund.
 - ii. I/We am/are not a US Person and am/are not purchasing the Shares on behalf of or for the account of a US Person; nor with a view to the offer, sale, delivery, directly or indirectly, of the Shares of the Sub-Fund in the United States, its territories, possessions and other areas subject to its jurisdiction; and have not been convicted of any criminal activities and the subscription monies are not the proceeds of criminal misconduct and the funds presented to complete this transaction are from legitimate sources in connection with the Shareholders regular and permitted business activities; and
 - iii. I/We have received, read and understand the current Prospectus of the Fund and, where applicable, the most recent annual report and accounts of the Fund and, if issued after such reports and accounts, its most recent semi-annual unaudited report including, without limitation, those sections of the Prospectus relating to the risks and fee structure of the Sub-Fund and have relied solely on the Prospectus in determining to invest in the Shares of the Sub-Fund, and I/we have such knowledge and experience in business and financial matters as to be capable of evaluating the merits and risks of investing in the Shares of the Sub-Fund and are able to bear the economic risk of that investment.
2. I/We undertake to observe and be bound by the provisions of the Instrument of Incorporation of the Fund (as amended from time to time) by which the Fund is constituted.
3. I/We acknowledge that this application is made at a price determined in accordance with the Instrument of Incorporation and that the Directors reserve the right to reject any application in whole or in part.
4. I/We declare that I am/we are over 18 years of age and am/are of full legal age and capacity.
5. I/We hereby warrant that I/we have the knowledge, expertise and experience in financial matters to evaluate the risks of investing in the Fund, am/are aware of the risks inherent in investing in the assets in which the Fund will invest and the method by which these assets will be held and/or traded, and can bear the loss of my/our entire investment in the Sub-Fund.
6. I/We hereby declare that the Shares are not being acquired and will not be held in violation of any applicable laws.
7. I/We agree not to duplicate or to furnish particulars of the Prospectus, or to divulge any of its contents, to any person other than my/our investment, legal or tax advisors (who may use the information contained in the Prospectus solely for purposes relating to my/our investment in the Sub-Fund).

8. I/We acknowledge that the tax disclosure set forth in the Prospectus is of a general nature and may not cover the jurisdiction in which the Applicant is subject to taxation and that the tax consequences of the Applicant's purchase of Shares depends on the Applicant's individual circumstances. I/We acknowledge that it is our responsibility to seek such legal, tax, financial and other advice that we deem necessary prior to making this investment and any subsequent investment.
9. I/We note that e-mail messages may not be secure and may contain computer viruses or other defects, may not be accurately replicated on other systems, or may be intercepted, deleted or interfered with without the knowledge of the sender or the intended recipient. I/We note that none of the Fund, the Manager, the Investment Manager, the Depository or the Administrator makes any warranties in relation to these matters. I/We also note that the Fund and its delegates reserve the right to intercept, monitor and retain e-mail messages to and from its systems as permitted by applicable law. I/We confirm that if I/we have any doubts about the authenticity of an e-mail purportedly sent by the Fund, the Manager, the Depository, the Investment Manager or the Administrator, I/we will contact the purported sender immediately.
10. I/We acknowledge that I/we may receive or have access to confidential proprietary information concerning the Fund and the Sub-Fund, including, without limitation, portfolio positions, valuations, information regarding potential investments, financial information, trade secrets and the like (collectively, "Confidential Information"), which is proprietary in nature and non-public. I/We agree that I/we shall not disclose or cause to be disclosed any Confidential Information to any person or use any Confidential Information for my/our own purposes or my/our own account, except in connection with my/our investment in the Sub-Fund and except as otherwise required by any regulatory authority, law or regulation, or by legal process.
11. I/We consent to the Fund, the Manager, the Investment Manager and/or Administrator transferring all or any of their benefits and obligations under these terms. I/We acknowledge that the Fund, the Manager, the Investment Manager and/or Administrator may appoint any person to advise on or perform any of their functions or responsibilities under these terms and may provide information about the Applicant and its Shares to any such person. I/We acknowledge that the Fund, the Manager, the Investment Manager and/or Administrator, where applicable, will satisfy itself that any person to whom it delegates any of its functions or responsibilities under these terms is competent to carry out those functions or responsibilities.
12. If any provision of this Application Form is invalid or unenforceable under any applicable law, then such provision shall be deemed inoperative to the extent that it may conflict therewith. Any provision hereof which may be held invalid or unenforceable under any applicable law shall not affect the validity or enforceability of any other provisions hereof, and to this extent the provisions hereof shall be severable.
13. I/We confirm and declare that I/we have carefully considered the risk factors and warnings contained in the Prospectus and in the specific information and

disclaimers and by the execution of this Application Form, I/we confirm that I/we understand and agree to bear the risks referred to therein.

14. I/We declare that, if investing on behalf of a third party, I/we have disclosed all risk factors and warnings contained in the Prospectus and in the specific information and disclaimers and by the execution of this Application Form, I/we confirm that the third party investor understands and agrees to bear the risks referred to therein and that I/we or the third party investor, and not the Fund, shall be responsible for the suitability and/or appropriateness of any investment decision made by such third party investor. I/We also represent and warrant that I/we have full power and authority on behalf of the individual investor(s) to subscribe for Shares and to execute any necessary subscription documentation, including this Application Form and, in particular but without limitation to the aforesaid, to make the representations above on behalf of such individual investor(s) as to the agreement of such individual investor regarding the use of personal data. I/We also represent and warrant that I/we have made due diligence enquiries to make sure that the individual investor is not involved in money laundering or terrorist activities.
15. I/We acknowledge that subscription monies from third parties as well as redemption proceeds paid to third parties will not be accepted.
16. I/We acknowledge that the Administrator, the Manager, the Investment Manager and/or the Fund may rely conclusively upon any instructions reasonably believed to be genuine and to be signed by properly authorised persons and shall not be liable, except in the event of negligence in the verification of the signatures and signatory powers on the documentation, for the fraudulent use by a third party of the Applicant's signature, whether this signature be authentic or forged.
17. I/We acknowledge that the Administrator, the Manager, the Investment Manager and/or the Fund are hereby authorised and instructed to accept and execute any instructions in respect of the Shares to which this Application Form relates or which may in future be acquired by me/us which are given by me/us in written form. Specifically, I/we agree that for instructions in written form I/we hold the Administrator, the Manager, the Investment Manager and/or the Fund fully indemnified from and against all liabilities, losses, costs, actions, proceedings, claims and demands which may be incurred by or brought or made against the Sub-Fund, the Manager, the Investment Manager and/or the Administrator arising directly or indirectly from having acted upon written form to the extent that such party acted properly upon receipt of such instructions.
18. I/We understand that derivatives will be used for hedging purposes in accordance with the Prospectus. Accordingly, I/We acknowledge that a currency Share Class will be hedged against exchange rate fluctuation risks between the denominated currency of the currency Share Class and the Base Currency. I/We further confirm and declare that I/we have carefully considered the hedging strategy in the Prospectus for the Sub-Fund and I/we confirm that I/we understand and agree to bear the risks referred to therein. I/We further confirm that we understand that any conversion of subscription monies in currencies other than the Base Currency will be converted by the Depositary at the prevailing exchange rate, meaning at rates greater or lesser than those that may be available to me/us elsewhere.

19. I/We hereby confirm that I/we shall be deemed to make, on a continuing basis, and in respect of all subsequent applications for Shares in the Sub-Fund each of the statements contained herein unless I/we notify the Fund or the Administrator to the contrary in relation to any Shares I/we may hold or obtain at any time.
20. I/We hereby agree to indemnify and hold harmless the Fund, the Depositary, the Investment Manager, the Manager, the Administrator, any distributor (and their respective directors, officers and employees) and the other Shareholders against any loss, liability, cost or expense (including without limitation legal fees, taxes and penalties) which may result, directly or indirectly, from (i) any misrepresentation or breach of any warranty, condition, covenant or agreement contained herein or in any other document delivered by the undersigned to the Fund and (ii) my/our holdings of Shares in the Sub-Fund which brings the Fund into conflict with any requirement of any local regulatory authority or the Fund incurring any liability to taxation or breaching any law or regulation of any local regulatory or taxation authority.
21. For individual investors only:

I/We agree that:
 - i. information supplied in this Application Form and otherwise in connection with my/our subscription for Shares may be held by the Administrator or its agent and will be used for the purposes of processing my/our subscription and investment in the Sub-Fund and completion of information on the register of Shareholders of the Sub-Fund, and may also be used for the purpose of carrying out my/our instructions or responding to any enquiry purporting to be given by me/us or on my/our behalf, dealing in any other matters relating to my/our holding of Shares (including the mailing of reports or notices), forming part of the records of the recipient as to the business carried on by it, observing any legal, governmental or regulatory requirements of any relevant jurisdiction (including any disclosure or notification requirements to which any recipient of the data is subject) and to provide a marketing database for product and market research or to provide information for the despatch of information on other products or services to me/us from the Fund or any connected person of the Fund. All such information may be retained after my/our Shares have been redeemed;
 - ii. The Administrator may disclose and transfer such information to the Auditors and the Fund, including any of their employees, officers, directors, agents and delegates and the Administrator's agent and/or their subsidiaries and/or affiliates or to any third party employed to provide administrative, computer or other services or facilities to any person to whom data is provided or may be transferred as aforesaid and/or to any regulatory authority entitled thereto by law or regulation (whether statutory or not) in connection with my/our investment in the Sub-Fund, which persons may be persons outside Ireland;
22. I/We represent and warrant that all personal data provided to the Fund, the Investment Manager, the Manager, the Administrator or any distributor by or on behalf of me/us has been and will be provided in accordance with applicable laws and regulations, including without limitation those relating to privacy or the

use of personal data. I/We shall ensure that any personal data that I/we provide to the Fund, the Investment Manager, the Manager, the Administrator or any distributor is accurate and up to date, and I/we shall promptly notify the Administrator if I/we become aware that any such data is no longer accurate or up to date.

23. I/We acknowledge receipt of the privacy notice attached to this application form (the "Privacy Notice"). I/We shall promptly provide the Privacy Notice to (i) each individual whose personal data I/we have provided or will provide to the Fund, the Investment Manager, the Manager, the Administrator or any distributor in connection with my/our investment in the Sub-Fund (such as a director, partner, trustee, employee, agent or direct or indirect owner) and (ii) any other individual connected to me/us as may be requested by the Fund, the Investment Manager, the Manager, the Administrator, or any distributor. I/We shall also promptly provide to any such individual, on request by the Fund, the Investment Manager, the Manager, the Administrator or any distributor, any updated versions of the Privacy Notice and the privacy notice (or other data protection disclosures) of any third party to which the Fund, the Investment Manager, the Manager, the Administrator or any distributor has directly or indirectly provided that individual's personal data.
24. I/We agree to provide such information as may be required (whether in this Application Form or otherwise), and I/we consent to the disclosure of such information to such person or persons as may be deemed to be a paying agent in order to permit them to comply with their obligations under the US Foreign Account Tax Compliance Act ("FATCA") or the OECD Common Reporting Standard ("CRS"). I/We undertake to ensure that such information as I/we provide is kept up-to-date and to notify the Administrator of any change to such information which may be relevant for the purposes of FATCA or the CRS as soon as reasonably practicable (including without limitation any change in my/our name, permanent residential address or registered office and/or the State in which I/we are resident for tax purposes).
25. I/We acknowledge and agree that where adequate information (to the satisfaction of the Fund) has not been provided by us for AML verification purposes, that our entire investment may be compulsorily redeemed from the Sub-Fund by the Fund and that monies from such redemption may not be returned to us until such time as information satisfactory to the Fund is received by the Fund (see note 3 below). In such instances, I/we acknowledge and agree that the Fund, where relevant, may not pay any distributions to us. In the event that the Fund is required to take the foregoing action, I/we understand and agree that I/we shall have no claim against the Fund, the Sub-Fund, the Directors, the Investment Manager, the Manager, the Administrator or any distributor and their respective affiliates, directors, members, partners, shareholders, officers, employees and agents for any form of loss, liability, cost, expense or damages as a result of the aforementioned action and each shall be held harmless against any loss arising as a result of a failure by me/us to provide AML verification documentation and information as may be requested of me/us by or on behalf of the Fund.
26. I/We hereby agree to indemnify and hold harmless such person or persons as may be deemed to be a paying agent against any loss, liability, cost or expense

(including without limitation legal fees, taxes and penalties) which may result directly or indirectly from any failure by me/us to provide information or from any information which I/we provide being incorrect or ceasing to be correct in accordance with this Application Form.

NOTES:

1. Under Irish AML legislation, the Fund and/or the Administrator, acting on behalf of the Fund, must obtain information to verify the identity and permanent address of any new investor in the Sub-Fund in accordance with the requirements of the Criminal Justice (Money Laundering and Terrorist Financing) Acts 2010-2021 (as may be further amended) (including any relevant guidance or other legislation requirements issued thereunder) (the “Act”). In addition, the Fund and/or the Administrator may require an intermediary that is applying for Shares on behalf of persons (which may include natural and/or legal persons who will be beneficially entitled to these Shares) to make available requested verification of identity documents and information in respect of such beneficial owners. Please refer to Appendix III for a more detailed overview of AML requirements for new investors. The Applicant must provide the requested documentation and information. Investor account documentation and requirements will be periodically re-evaluated in line with the Act. The measures aimed at the prevention of money laundering will require verification of the Applicant(s)’ identity, address, source of funds and/ or source of wealth. As such the Fund and/or the Administrator reserves the right to request such information as is necessary to verify the identity of an Applicant and / or the source of the subscription monies and/ or the source of wealth.
2. In the event of delay or failure by the Applicant to produce any information required for verification purposes, the Fund and/ or Administrator may refuse to accept the application and subscription monies.
3. Where an application for Shares in the Sub-Fund is accepted pending receipt of any information required from the Applicant for the purposes of AML verification in accordance with the Act, the Applicant’s investment may be compulsorily redeemed from the Sub-Fund if such information is not provided as soon as possible after subscribing. In such instances, monies from such redemption may not be returned to the Applicant until such time as satisfactory AML verification information is received by the Fund or the Administrator. Also, any distributions may not be paid to the Applicant and no transfer of shareholdings may take place.
4. All individual investors have the right of access to, and to update, all their records (whether held on computer files or manually) held by or on behalf of the Administrator. A copy of such record will be provided to an investor who requests it, upon the payment of a modest administration charge to cover the costs of complying with such request. Requests should be made in writing to the Administrator at the address set out in the Prospectus.
5. Where the Applicant is a financial institution, broker or other person applying to acquire Shares on behalf of its individual client(s) the Applicant represents and warrants that it has full power and authority on behalf of the individual investor to subscribe for Shares and to execute any necessary subscription

documentation, including this Application Form and, in particular but without limitation to the aforesaid, to make the representations above on behalf of such individual investor as to the agreement of such individual investor regarding the use of personal data. The Applicant also represents and warrants that it has made due diligence enquiries to make sure that the individual investor is not involved in money laundering or terrorist activities ("know your customer rules").

6. Where this Application Form is sent electronically via the methods specified above, the Administrator will not be responsible to an Applicant for any loss resulting from the non-receipt of any application sent electronically. The Applicant acknowledges that any instructions or requests sent to the Fund via the Administrator shall not be deemed by the Applicant to have been received by the Fund or the Administrator unless written acknowledgement of receipt of same has been received by the Applicant. Exceptions are made where the delivery of the communication has been acknowledged by a signed receipt.
7. Applicants should note that the Directors or the Administrator or their agents may refuse to accept a redemption request if it is not accompanied by such additional information as they may in their absolute discretion require. I/We acknowledge that the Fund, the Manager or the Administrator on its behalf also reserves the right to refuse to make any redemption payment or distribution to a Shareholder where the Fund, the Manager or the Administrator is not satisfied with the information and documentation that has been provided. This power may, without limitation to the generality of the foregoing, be exercised where proper information has not been provided for AML verification purposes as described above. Applicants should note in particular that redemption proceeds will not be paid by the Administrator to an account which is not in the name of the Applicant.
8. The Applicant understands that the confirmations, representations, declarations and warranties made herein are continuous and apply to all subsequent subscriptions for Shares in the Sub-Fund whether this investment is made in the Applicant's own name or is made on behalf of or for the benefit of another person or corporation.
9. The Applicant understands that any changes to the information provided in this Application Form must be made in writing or electronically to the Administrator and must contain the appropriate number of authorised signatories and all such signatories must be signature guaranteed. All certified copies should be certified by a Police Officer; Practising Certified or Chartered Accountant; Notary Public; Practising Lawyer; Embassy/ Consular Staff or any person so authorised under the laws of the Applicant's country or domicile (except that the authorised signatories list may be certified by the Fund secretary where the investor is domiciled in an equivalent country and regulated).
10. While Shares may be issued on the next available Subscription Day, until such time as the Administrator has received and is satisfied with all the information and documentation requested to verify the Applicant's identity, no request made by the Applicant to either redeem and/or transfer the Shares will be granted. The Administrator, the Manager and the Fund shall be held harmless and indemnified against any loss arising as a result of a failure to process the

application if such information has been required by the parties referred to and has not been provided.

11. The Applicant acknowledges that due to AML requirements operating within their respective jurisdictions the Administrator, Manager and the Fund (as the case may be) may require further information, including identification, as described in the Prospectus, from it before its fund transaction(s) can be processed. The Applicant further acknowledge(s) that any delay in providing such documentation may result in delayed processing of the application for Shares and/or delayed payment of any future redemption payments or processing transfer of shareholding requests. The Fund, the Administrator and the Manager shall be held harmless and indemnified against any loss arising as a result of a failure to process its fund transaction(s) if such requested information has not been provided by the Applicant.
12. The Applicant hereby acknowledges, confirms, warrants, declares and represents that:
 - a. in subscribing for Shares, it is not involved in: (i) concealing or disguising any property which is, or which directly or indirectly represents, the proceeds of a criminal activity; or (ii) converting or transferring any property which is, or which directly or indirectly represents, the proceeds of criminal activity for the purpose of avoiding prosecution for an offence;
 - b. it has complied with all AML obligations imposed on it pursuant to the Act;
 - c. it does not know of or suspect and has no reason to suspect that any of the subscription monies forwarded by it for Shares is, or directly or indirectly represents, the proceeds of any criminal activity and subscription pursuant to this Application Form is not designed to conceal such proceeds so as to avoid prosecution for an offence or otherwise nor is intended to be applied in such a way as may constitute an offence of financing terrorism under the Act;
 - d. the Fund, the Depository, the Investment Manager, the Manager, the Administrator, any distributor and their respective directors, officers and employees shall be held harmless and indemnified against any penalty or loss arising as a result of the foregoing representations and undertaking being shown to be untrue or incorrect in any way.

For Joint Applicants Only:

13. If more than one person is named on the Application Form, all Applicants will be considered as joint applicants. As such, they authorise the Administrator to act and rely on the signed or purportedly signed instructions of any one of the Applicants without liability with respect to any transfer, payment or other act made or done or omitted to be done in accordance with such instructions.
14. In case of deaths of any of the undersigned, individual signatory power will continue to be in force. The Administrator may rely and act without liability on any instruction including the transfer or redemption of the Shares signed by the survivor(s) unless the Administrator has been informed in writing of the contrary.

7. NOTICES

Any notice required or permitted to be given to the Applicant in relation to the Fund, shall be sent to the address or to such other address as the Applicant designates by written notice received by the Administrator.

8. GOVERNING LAW AND JURISDICTION

This Application Form shall be governed by the laws of the Republic of Ireland and the Irish courts shall have exclusive jurisdiction to settle any such disputes which may arise out of or in connection with this Application Form or its performance and accordingly that any suit, action or proceedings so arising may be brought in such courts.

By checking this box, I/we confirm that I/we have read and approve all declarations in this Section.

Signatures & Dates

Please sign the section below. If this is a joint account, all investors should sign. A corporation should sign under the hand of a duly authorised official who should state his representative capacity. An authorised signatory list (original or certified copy) must be submitted with this Application Form unless the Applicant is a natural person or joint investor. The authorised signatory list must be printed on headed paper and confirm the names and specimen signatures of all persons authorised to trade on the account. If this Application Form is signed under a power of attorney, such power or a duly certified copy thereof must accompany this Application Form in support of the signature.

Applicant Signature(s):

Applicant Signature(s):

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

—

APPENDIX I

This declaration should be completed and returned to:

Apex Fund Services (Ireland) Limited
2nd Floor, Block 5
Irish Life Centre
Abbey Street Lower
Dublin 1
D01 P767
Ireland

Declaration of residence outside the Republic of Ireland

(non-resident composite declaration)

Applicants resident outside the Republic of Ireland are required by the Irish Revenue Commissioners to make the following declaration which is in a format authorised by them, in order to receive payment without deduction of tax. It is important to note that this declaration, if it is then still correct, shall apply in respect of any subsequent acquisitions of Shares. Terms used in this declaration are defined in the Prospectus.

*** Please cross out one of the boxes below & delete the “I/we” as applies in the remaining box**

Declaration on own behalf:

I/we* declare that I am/we are* applying for the Shares on my own/our own behalf/on behalf of a company* and that I am/we are/the company is* entitled to the Shares in respect of which this declaration is made and that

- I am/we are/the company is* not currently resident or ordinarily resident in the Republic of Ireland,
and
- should I/we/the company* become resident in the Republic of Ireland I/we* will so inform you, in writing accordingly.

(* Delete as appropriate)

Declaration as Intermediary:

I/we* declare that I am/we are* applying for Shares on behalf of persons;

- who will be beneficially entitled to the Shares, and
- who to the best of my/our knowledge and belief, none of the beneficiaries are resident or ordinarily resident in the Republic of Ireland.

I/we* also declare that:

- unless I/we* specifically notify you to the contrary at the time of application, all applications for Shares made by me/us* from the date of this application will be made on behalf of such persons and,
- I/we* will inform you accordingly, in writing, if I/we* become aware that any person, on whose behalf I/we* hold Shares, becomes resident in Ireland.

(* Delete as appropriate)

Name applicant(s)		
Address		
Signature of Applicant or authorised signatory		

Capacity of authorised signatory (if applicable)		
--	--	--

Notes:

1. Non-resident declarations are subject to inspection by the Irish Revenue Commissioners and it is a criminal offence to make a false declaration.
2. To be valid, the Application Form (incorporating the declaration required by the Irish Revenue Commissioners) must be signed by the Applicant. Where there is more than one applicant, each person must sign. If the Applicant is a company, it must be signed by the company secretary or another authorised officer.
3. If the Application Form (incorporating the declaration required by the Irish Revenue Commissioners) is signed under power of attorney, a copy of the power of attorney must be furnished in support of the signature.

APPENDIX II

This declaration should be completed by Exempt Irish Investors and returned to:

Apex Fund Services (Ireland) Limited
2nd Floor, Block 5
Irish Life Centre
Abbey Street Lower
Dublin 1
D01 P767
Ireland

Declaration referred to in Section 739D(6) Taxes Consolidation Act, 1997

It is important to note that this declaration, if it is then still correct, shall apply in respect of any subsequent acquisitions of Shares.

- I declare that the information contained in this declaration is true and correct.
- I also declare that I am applying for the Shares on behalf of the applicant named below who is entitled to the Shares in respect of which this declaration is made and is a person referred to in Section 739D(6) of the Taxes Consolidation Act, 1997, being a person who is: (please tick as appropriate)

* Delete as appropriate. (Please see overleaf for important information)

a pension scheme;	
a company carrying on life business within the meaning of section 706 TCA 1997;	
an investment undertaking;	
an investment limited partnership;	
a special investment scheme;	
a unit trust to which section 731(5)(a) TCA 1997 applies;	
a charity being a person referred to in section 739D(6)(f)(i) TCA 1997;	
a qualifying management company, as defined in section 739B(1), as inserted by section 31(1)(a), Finance Act 2010;	
entitled to exemption from income tax and capital gains tax by virtue of section 784A(2) TCA, 1997* or by virtue of section 848E TCA, 1997*, (see further requirements for Qualifying Fund Manager below).	
a PRSA Administrator	
a credit union within the meaning of section 2 of the Credit Union Act 1997	

Additional requirements where the declaration is completed on behalf of a Charity

- I also declare that at the time of making this declaration, the Shares in respect of which this declaration is made are held for charitable purposes only and;
 - form part of the assets of a body of persons or trust treated by the Irish Revenue Commissioners as a body or trust established for charitable purposes only, or
 - are, according to the rules or regulations established by statute, charter, decree, deed of trust or will, held for charitable purposes only and are so treated by the Irish Revenue Commissioners.
- I undertake that, in the event that the person referred to in paragraph (7)(d) of Schedule 2B TCA 1997 ceases to be a person referred to in Section 739D(6)(f)(i) TCA, 1997, I will, by written notice, bring this fact to the attention of the investment undertaking accordingly.

Additional requirements where the declaration is completed by a qualifying fund manager/qualifying savings manager/PRSA Administrator

- I/we* also declare that at the time this declaration is made, the Shares in respect of which this declaration is made
 - are assets of an *approved retirement fund/an approved minimum retirement fund/a special savings incentive account or a PRSA, and
 - are managed by the Declarant for the individual named below who is beneficially entitled to the Shares.
- I/we* undertake that, if the Shares cease to be assets of the *approved retirement fund/the approved minimum retirement fund, a PRSA, or held in a special savings incentive account, including a case where the Shares are transferred to another such fund or account, I/we* will, by written notice, bring this fact to the attention of the investment undertaking accordingly.

Additional requirements where the declaration is completed by an Intermediary

I/we* declare that I am/we are* applying for Shares on behalf of persons who

- to the best of my/our* knowledge and belief, have beneficial entitlement to each of the units in respect of which this declaration is made; and
- is a person referred to in section 739D(6) TCA 1997.

I/we* also declare that

- unless I/we* specifically notify you to the contrary at the time of application, all applications for Shares made by me/us* from the date of this application will be made on behalf of persons referred to in section 739D(6) TCA 1997; and
- I/we* will inform you in writing if I/we* become aware that any person ceases to be a person referred to in section 739D(6) TCA 1997. * **Delete as appropriate**

Name applicant(s)		
Title: (Mr./Ms. etc)		
Irish tax reference number of applicant:		
Authorised signatory:		
Capacity of authorised signatory (if applicable)		
Date		

IMPORTANT NOTES

¹This is a form authorised by the Irish Revenue Commissioners which may be subject to inspection. It is an offence to make a false declaration.

²Tax reference number in relation to a person has the meaning assigned to it by Section 885 TCA, 1997 in relation to a “specified person” within the meaning of that section. In the case of a charity, quote the Charity Exemption Number (CHY) as issued by the Irish Revenue Commissioners. In the case of a qualifying fund manager/qualifying savings manager, quote the tax reference number of the beneficial owner of the Shares.

³In the case of, (i) an exempt pension scheme, the administrator must sign the declaration (ii) a retirement annuity contract to which Section 784 or 785 applies, the person carrying on the business of granting annuities must sign the declaration (iii) a trust scheme, the trustees must sign the declaration. In the case of a charity, the declaration must be signed by the trustees or other authorised officer of a body of persons or trust established for charitable purposes only within the meaning of Sections 207 and 208 TCA 1997. It must also be signed by a qualifying fund manager of an approved retirement fund/an approved minimum retirement fund, by a qualifying savings manager of a special savings incentive account or by a PRSA administrator. In the case of an intermediary, the declaration must be signed by the intermediary. In the case of a company, the declaration must be signed by the company secretary or other authorised officer. In the case of a unit trust it must be signed by the trustees. In any other case it must be signed by an authorised officer of the entity concerned or a person who holds a power of attorney from the entity. If the latter, a copy of the power of attorney should be furnished in support of this declaration.

APPENDIX III Anti-Money Laundering

It is important to note that the appropriate client identification documents must be received as part of the completed Application Form. Failure to fully satisfy the Sub-Fund's and the Administrator's client identification requirements may result in an application being delayed to a later Subscription Day and may even result in the application being rejected. The Sub-Fund and the Administrator reserve the right to amend and/or supplement the following requirements from time to time where there is a change in regulations and/or industry best practices.

There are two methods by which you can be cleared for Anti Money Laundering ("AML") purposes

1) Simplified Customer Due Diligence

- Introduction via Regulated Financial Institutions from an equivalent Jurisdiction.

2) Customer Due Diligence (Know Your Customer)

- Approved Jurisdictions
- Non Approved Jurisdictions/Other Risk Nexus

CONTACT DETAILS FOR ASSISTANCE:

If your entity type is not mentioned specifically, or we can be of any assistance in ensuring that you return the appropriate documents, please do not hesitate to contact us.

AML CDD Requirements

In order to comply with Anti-Money laundering legislation the Sub-Fund (or the Administrator on behalf of the Sub-Fund) is required to obtain identity verification documents from each Subscriber.

Below is a list of anti-money laundering documentation to be provided by investors and is provided as a guide outlining simplified and standard due diligence requirements. Please note that the AML reviews are carried out on a risk based approach and depending on the risk category of your investment, additional AML documentation may be required. The administrator will confirm customer due diligence documentation requirements at account opening stage.

Where the investor is deemed to be High Risk, we may require additional documentation in addition to Original Certified true copies of all documents.

Section 1. Simplified Due Diligence

A Subscriber qualifies for simplified due diligence from General Identification Requirements when one of the following conditions is met **and** the Subscriber's subscription proceeds have originated from an "Approved Country" ¹

A. Regulated Financial Institution:

Where the Subscriber is a Regulated Financial Institution regulated by an "Approved Regulator"² or is a 100% owned subsidiary of such an entity;

- I. Documentation Requirements for entities investing on their own behalf:
 - Own behalf declaration confirming investing on own behalf (Annex 1)
 - Proof of regulation
 - Copy of the Commercial Register/Certificate of Good Standing
 - Copy of the authorised signatory list with specimen signatures on company letterhead
 - Copy of the Structure chart or shareholders chart, including the % ownership and control
 - UBO Declaration identifying individuals owning/controlling 25% or more (As set out in Annex 2 of this section)

- II. Requirements for Regulated Entities investing on behalf of a third Party in addition to point (I):
 - Declaration confirming investing on behalf of a third party (Annex 1)
 - AML Comfort Letter - please revert to Annex 3 for the Apex template
 - *In some instances a Wolfsberg Questionnaire may be required

¹ Please refer to the administrator for confirmation of approved countries

² Please refer to the administrator for confirmation of approved regulators

B. Nominees:

Where a subscriber is a nominee account with a Regulated Parent:

- I. Documentation Requirements:
 - Proof of regulation in a low risk Jurisdiction
 - AML Comfort Letter - please revert to Annex 3 for the Apex template
 - *In some instances a Wolfsberg Questionnaire may be required
 - Copy of the authorised signatory list with specimen signatures on company letterhead
 - Copy signatories' ID where they have signed the application form & will place the orders
 - Copy of the Structure chart or shareholders chart, including the % of ownership and controlling
 - UBO Declaration identifying individuals owning/controlling 25% or more (As set out in Annex 2 of this section)

C. Listed Entities + Subsidiaries of Listed Entities:

Where the Subscriber is quoted or listed on an "Approved Market"³ or Stock Exchange or is a 100% owned subsidiary of such an entity;

- I. Documentation Requirements:
 - Confirmation that investing on own behalf (Annex 1)
 - Proof of listing in a low risk jurisdiction
 - Copy of the authorised signatory list with specimen signatures on company letterhead
 - Copy signatories' ID where they have signed the application form & will place the orders
 - Copy of commercial register/Certificate of good standing
 - Copy of the Structure chart or shareholders chart, including the % of ownership and controlling
 - UBO Declaration identifying individuals owning/controlling 25% or more (As set out in Annex 2 of this section)
- II. For subsidiaries and in addition to point (I):
 - Attach proof of listed parent ownership
 - Copy of certificate of incorporation or equivalent for subsidiary
 - Copy of memorandum and articles of association or equivalent constitutional documents for subsidiary

³ Please refer to the administrator for confirmation of approved stock exchanges

D. Regulated Pension Scheme:

Where the Subscriber is a Regulated Pension Scheme in a low risk Jurisdiction; or where the entity is a state pension scheme in a low risk jurisdiction.

Where information is available online from a reputable source, please provide all of the relevant links at account opening stage.

- I. Documentation Requirements:
 - Proof of regulation in a low risk jurisdiction
 - Copy of the articles of the pension scheme *where available from a reputable online source, please provide the link to same*
 - Copy of the authorised signatory list with specimen signatures on company letterhead
 - Copy of the Structure chart or shareholders chart, including the % of ownership and controlling
 - UBO Declaration identifying individuals owning/controlling 25% or more (As set out in Annex 2 of this section)
 - Copy ID and Proof of address for any person owning/controlling 25% or more of the investment

Section 2. General Identification Requirements: Standard Due Diligence

A. Entities:

Where a Subscriber is an entity that is domiciled/incorporated in an “Approved Country”⁴ **and** the Subscriber’s subscription proceeds originate from an “Approved Country” **ALL** the following information and identification documentation must be forwarded with the subscription application;

Corporate Entities (General):

- I. Documentation Requirements:
 - Confirmation investing on own behalf
 - Copy of Certificate of Incorporation /Good Standing
 - Copy of Memorandum and Articles of Association or equivalent constitutional documents
 - Copy of the latest financial report or equivalent (If not available, copies of IDs and Proof of address for two directors may be required along with a letter confirming that the company is financially solvent)
 - Copy of the authorised signatory list with specimen signatures on company letterhead
 - Copy of the signatories’ IDs who signed the application form & will place orders
 - Copy of the list of Directors/Members/Partners on letterhead paper of the Company
 - Copy ID for at least 2 controllers (where a partnership - one of these must be the GP)
 - Copy of the Structure chart or shareholders chart, including the % of ownership

⁴ Please refer to the administrator for confirmation of approved countries

- Complete “UBO Declaration” (Annex 2) on behalf of the Entity – See Annex 2
**The declaration must be completed by an authorized individual from the Entity and on Entities letterhead.*

- i. If there is a UBO with 25% or more shareholding the person must be identified as per section 2 (B)
- ii. In the case of an Entity, where the Managing Member is not an individual, the entity must also be identified as per requirements in Section 2 (A).

Trusts:

II. Documentation Requirements:

- Copy of the latest trust deed
- Copy Signature List on company letterhead
- Copy of the IDs of the signatories on the application form/who will place deals on the account
- Identification and verification of the identity of the Settlor and the Trustee according to their legal forms
- Identification and verification of the identity of the Protector if any, according to its legal forms
- Information on the Source of Wealth of the Settlor
- Copy Structure Chart/Shareholder Chart, showing the % ownership and control of all beneficial owners and controllers
- UBO Declaration - Identifying all individuals owning or controlling any part of the trust if not available within the trust deed/structure chart
- Copy ID and proof of address (dated within the last 6 months) for any persons owning or controlling any part of the trust

B. Individuals:

Where a Subscriber is an Individual from an “Approved Country”⁵ **and** where the Subscriber’s subscription proceeds originate from an “Approved Country”⁶. All the following information and identification documentation must be forwarded with the subscription application;

I. Information Requirements:

- Full Legal Name
- Date of Birth
- Place of Birth
- Residential Address, (including Country of Residence)
- Nationality
- Government ID Number
- Source of Wealth
- Signature

II. Documentation Requirements:

- Copy of a valid ID document (passport /driver’s license or other form of Government issued photo identification) bearing clear picture, expiry date and signature
- Copy proof of residential address dated within the last six months, in the form of household utility bill or bank statement
- Completed source of wealth declaration (please contact Administrator for the relevant template)

⁵ Please refer to the administrator for confirmation of approved countries

⁶ Please refer to the administrator for confirmation of approved countries

Annex 1 – Own Behalf Declaration

"Company Letterhead"

{Date}

Apex Fund Services (Ireland) Limited,

2nd Floor, Block 5
Irish Life Centre
Abbey Street Lower
Dublin D01 P767
Ireland

**Subject: Declaration of the investment on own behalf/ third party
behalf**

Investor Name: _____

Sub-Fund:

Dear Sirs,

We declare that investments made in the above mentioned Sub-Fund
are made

- on my/our own behalf
- on behalf of our client(s)

Printed name of the investor/authorised signatory

Signature

Annex 2

ULTIMATE BENEFICIAL OWNER DECLARATION

[Place on the Applicant's letterhead]

[Date]⁷

Apex Fund Services (Ireland) Limited ("Apex")
2nd Floor, Block 5
Irish Life Centre
Abbey Street Lower
Dublin DO1 P767
Ireland

Ultimate beneficial owner declaration

We confirm the below in regards to *[Insert Registered Investor Name]* (the "Applicant"),
invested in Bay Capital India First – UCITS

Section 1 – Please confirm regarding ownership of Applicant

One or more Natural Person(s) (Individual) owns/controls directly or indirectly 25% or more
of the
investment as beneficial owner.

Yes - provide details of the natural person(s) identified in the space provided below
and

proceed to section 3.

No - proceed to section 2.

Full Name: _____

Date of Birth: _____

Place of birth:
(city, country)

Registered address:
(street, city, country of residence)

Nationality (all if several):

National ID number: _____

Percentage Holding (directly or indirectly 25% or more):

Source of wealth:

⁷ Note to draft: it must be dated no more than three months before the Applicant's admission into the Sub-Fund.

*Further information on Ultimate Beneficial Ownership information may be requested.

Section 2 - Please confirm regarding control of the Applicant

Please provide details of one or more Natural Person(s) (Individual) with significant responsibility for managing the Applicant (e.g. a Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President, or Treasurer) or any other individual who regularly performs similar functions.

Full Name: _____

Date of Birth: _____

Place of birth:
(city, country)

Registered address:
(street, city, country of residence)

Nationality (all if several):

National ID number: _____

*Further information on Ultimate Beneficial Ownership information may be requested.

Section 3

Is there a requirement to submit a beneficial ownership register in the investor's country of registration - please select as appropriate

Yes

No

If the answer to the above is yes, please confirm if the investor is required to submit a beneficial ownership register and has done so

Yes

No - please provide a brief explanation

Where the answer to the above is yes, please provide a copy of the Beneficial ownership filing details. Please note we may require further information on any individual identified on the beneficial ownership register filing

Section 4

Tick this box if any of the individuals identified in sections 1,2 or 3 (i.e. the Beneficial Owner or Controlling Person) or any authorised individual for the Applicant is considered a “Politically Exposed Person” (PEP)⁸.

Full Name: _____

Date of Birth: _____

Position / name of entity

Place of birth (city, country):

Registered address:
(street, city, country of residence)

Nationality (all if several):

National ID number: _____

If there are any subsequent changes to the ownership or control structure set out above, we shall inform Apex as soon as reasonably practicable upon becoming aware of such change and supply such information as Apex requires in order to establish and prove the submitted details. We confirm that we are not aware of any activities on the part of the Applicant that lead us to suspect that the beneficial owners are or have been involved in criminal conduct of money laundering. Should we subsequently become suspicious of any such activity then, subject to any legal constraints, we shall inform Apex and/or the relevant regulatory authorities accordingly. The undersigned declares that the details given are true and correct in regards to the beneficial ownership and control structure of the Applicant.

**Yours sincerely,
Authorised Signatory**

Authorised Signatory

limited to heads of state, government and cabinet ministers, judges, senior party functionaries, military leaders, ruling members of royal families, government officials and those directly related to them

⁸ A “Politically Exposed Person” is a person who performs important public functions, is a senior political figure or has been in the last 12 months. It includes but is not limited to heads of state, government and cabinet ministers, judges, senior party functionaries, military leaders, ruling members of royal families, government officials and those directly related to them

Annex 3 - AML Letter

Letterhead of the Regulated Entity

{Date}

Apex Fund Services (Ireland) Limited

2nd Floor, Block 5
Irish Life Centre
Abbey Street Lower
Dublin D01 P767
Ireland

Re: [Name of Investor]

“Introductory section of the company, its regulated status and registration number”

“Name of the Entity” hereby confirms the following in accordance with the standards of a prudent professional and the applicable laws and regulations:

1. We maintain Anti Money Laundering & Counter Terrorist Financing (“**AML/CTF**”) **policies** applicable to all employees and an on-going training program. We have implemented **related procedures** and controls including a procedure on suspicious activity reports;
2. We perform a **risk assessment of the underlying investor, mandates and proxy holders** using a combination of relevant risk factors prior entering into a business relationship and obtain information on the purpose of the business relationship (**Risk Based Approach**);
3. We perform the **identification and verification** of the identity of the underlying investor based on the initial risk assessment. Where applicable, the identification and verification of the **identity of our clients, beneficial owners, controlling parties and proxy holders** is performed, such that the ownership and control structure of the underlying investors in particular legal persons, trusts and similar legal arrangements are understood and risks are assessed;
4. We perform **enhanced due diligence on higher risk** underlying investors and their beneficial owners, where applicable, including **politically exposed persons** and, where a relationship is established with countries or territories which do not or insufficiently apply AML-CTF measures;
5. We perform **on-going monitoring** of the business relationship to maintain KYC information current including detection of unusual transactions which are not consistent with the expected business activity, and where necessary, the origin of funds and origin of wealth;
6. We perform **sanctions screening prior the account opening and on an on-going basis** of the underlying investors, their beneficial owners, mandate and proxy holders where applicable. The sanctions lists are amongst others, the resolutions of the United Nations Security Council as well as acts adopted by the European Commission regarding CTF/EU sanction list. [*In addition where applicable, we are required to comply with OFAC sanctions programs and perform sanctions screening against the listings of the US Department of Treasury, Office of Foreign Asset Control (“OFAC”)*];
7. We **retain investor due diligence documentation during a period of at least five years** following the end of the business relationship and **will make it available upon written request to Apex Ireland** notwithstanding any applicable rules on confidentiality or local secrecy laws.

8. We confirm that screening is performed on all of our employees and we will provide Apex with information relating to individuals such as full name, date of birth, place of birth, if required.
9. We will inform you immediately if we become aware of any introduced investor(s) engaging in activities which lead us to believe that such introduced investor(s) is involved in money laundering or terrorist activities to the extent permitted by law;
10. We do not enter into business relationship with shell banks or accept shell banks as underlying investors or beneficial owners;
11. We acknowledge that Apex Fund Services (Ireland) Limited is relying on us to satisfy their investor due diligence requirements with respect to [Name of Investor].

Yours sincerely,

Authorized Signatory
Print Name:

Authorized Signatory
Print name:

Annex 4 – Certification Requirements

- Certification must be made by independent 3rd party (self-certification is not acceptable)
- The certifying body must perform the certification in presence of the original documentation and must meet the client personally when certifying the documents
- Certification can only be made by a competent authority:
 - Notary Public
 - Embassy/Consular Staff
 - Commissioner of Oaths (which register number is available)
 - Justice of the Peace
 - A director or authorised signatory of a regulated financial institution in an approved jurisdiction
 - Lawyer or solicitor
 - Chartered & Certified Public Accountants
- Certification must be dated within 6 months
- Certification wording should state:
 - That the document is a true copy of the original document
 - That the document has been seen and verified by the certifier
 - Where an ID document, that the photo is a true likeness of the individual
 - Date of Certification
 - Name, Title, signature, registration number and contact details of the Certifier (i.e. if is a financial institution – name of bank, person, title, phone, etc.)

APPENDIX IV
PRIVACY NOTICE
Bay Capital ICAV

In this notice, the terms “we” and “us” refer to Bay Capital ICAV, and the term “Sub-Fund” refers to one of our sub-funds.

About this privacy notice

This privacy notice sets out the basis on which personal data about you will be used by us. Please take the time to read and understand this privacy notice.

This privacy notice applies to you if:

- (a) you are an investor in the Sub-Fund or an applicant for Shares in the Sub-Fund; or
- (b) your personal data has been provided to us in connection with an investment in the Sub-Fund or an application for Shares in the Sub-Fund by another person (such as where you are a director, partner, trustee, employee, agent or direct or indirect owner of an investor or an applicant); or
- (c) we otherwise use your personal data.

We are a data controller in respect of your personal data for the purposes of data protection law, such as the European Union’s General Data Protection Regulation. We are responsible for ensuring that we use your personal data in compliance with data protection law.

We have appointed the Administrator, and may appoint other data processors, which will process your personal data on our behalf. They will generally process the data in accordance with our instructions.

Personal data that we might use

We might process the following personal data about you:

- (a) *Information provided to us by you or (if different) the investor or Applicant:* This might include your name and address (including proofs of name and address), contact details, date of birth, gender, nationality, photograph, signature, copies of identity documents, occupational history, job title, income, assets, other financial information, bank details, investment history, tax residency and tax identification information. Such information might be provided in an application form or in other documents (as part of an application process or at other times), face-to-face, by telephone, by email or otherwise.
- (b) *Information that we collect or generate:* This might include information relating to your (or another person’s) investment in the Sub-Fund, emails (and related data), call recordings and website usage data.
- (c) *Information that we obtain from other sources:* This might include information obtained for the purpose of our know-your-client procedures (which include AML procedures, counter-terrorist financing procedures, politically-exposed-person checks and sanctions checks, among other things), information from government or public bodies, public websites and other public sources and information received from the investor’s or Applicant’s advisers or from intermediaries.

Uses of your personal data

Your personal data may be stored and processed by us for the following purposes:

- (a) Assessing and processing applications for Shares in the Sub-Fund and other Share dealings, including performing know-your-client procedures, issuing and redeeming Shares, receiving payments from and making payments to the investor, calculating Net Asset Value, and overseeing these processes.
- (b) General business administration, including communicating with investors, communicating with service providers and counterparties, accountancy and audit services, risk monitoring, the administration of IT systems and monitoring and improving products.
- (c) Compliance with legal and regulatory obligations and industry standards, including know-your-client procedures, the automatic exchange of tax information and legal judgments.
- (d) In respect of information shared with any distributor and their affiliates, their business activities relating to us or any Sub-Fund, such as investor relations, discussions with our service providers and counterparties, decision-making in relation to the Sub-Fund, and business strategy, development and marketing.

We can process your personal data in these ways for the following reasons:

- (a) If you are the Applicant, you may enter into an investment contract with us and some processing will be necessary for the performance of that contract or will be done at your request prior to entering into that contract.
- (b) Processing may be necessary to discharge a relevant legal or regulatory obligation.
- (c) Processing is in all cases necessary, for our or our affiliates' legitimate business interests, or those of the Administrator or another person, such as:
 - (i) ensuring compliance with all legal and regulatory obligations and industry standards, and preventing fraud;
 - (ii) establishing, exercising or defending legal rights or for other purposes relating to legal proceedings;
 - (iii) ensuring the security of information systems; and
 - (iv) carrying out our ordinary or reasonable business activities, or those of any distributor, the Administrator or other persons, or other activities previously disclosed to investors or referred to in this privacy notice.
- (d) If we process any sensitive personal data (which is data which falls within certain special categories, such as any personal data relating to the political opinions of a politically exposed person), any processing we do will be necessary for reasons of substantial public interest.

Disclosure of your personal data to third parties

We may from time to time, in accordance with the purposes described above, disclose your personal data to other parties, including (a) any distributor and its affiliates, (b) the Administrator, Depositary and their affiliates, (c) professional advisers such as law firms and accountancy firms, (d) certain other service providers, including technology service providers, (e) counterparties and (f) courts, regulatory, tax and governmental authorities.

Some of these persons will process your personal data in accordance with our instructions and others will themselves be responsible for their use of your personal data. These persons may be permitted to further disclose the personal data to other parties.

Transfers of your personal data outside the European Economic Area

Your personal data may be transferred to and stored by persons outside the European Economic Area (the “EEA”), and in particular may be transferred to and stored by our affiliates or service providers, and/or those of the Administrator outside the EEA.

Where personal data is transferred outside the EEA, we will ensure that the transfer is subject to appropriate safeguards or is otherwise permitted under applicable law. For example, the country to which the personal data is transferred may be approved by the European Commission, or the recipient may have agreed to model contractual clauses approved by the European Commission that oblige them to protect the personal data, or the recipient may be located in the United States and be a certified member of the EU-US Privacy Shield scheme.

You can obtain more details of the protection given to your personal data when it is transferred outside the EEA, including a copy of any standard data protection clauses entered into with recipients of your personal data, by contacting us using the details set out under “Contacting us” below.

Necessity of personal data for an investment in the Sub-Fund

The provision of certain personal data is necessary for Shares in the Sub-Fund to be issued and for compliance by us and our service providers with certain legal and regulatory obligations. Accordingly, if certain personal data is not provided when requested, an application for Shares might not be accepted or other appropriate measures may be taken.

Retention of personal data

How long we hold your personal data for will vary. The retention period will be determined by various criteria, including the purposes for which we are using it (as it will need to be kept for as long as is necessary for any of those purposes) and legal obligations (as laws or regulations may set a minimum period for which we have to keep your personal data).

Your rights

You have a number of legal rights in relation to the personal data that we hold about you. These rights include the following:

- (a) The right to obtain information regarding the processing of your personal data and to access to the personal data that we hold about you.
- (b) In some circumstances, the right to receive some personal data in a structured, commonly used and machine-readable format and the right to request that we transmit that data to a third party where this is technically feasible. Please note that this right only applies to personal data which you have provided to us.
- (c) The right to request that we rectify your personal data if it is inaccurate or incomplete.
- (d) The right to request that we erase your personal data in certain circumstances. Please note that there may be circumstances where you ask us to erase your personal data but we are legally entitled to retain it.
- (e) The right to object to, and the right to request that we restrict, our processing of your personal data in certain circumstances. Again, there may be circumstances where you object to, or ask us to restrict, our processing of your personal data but we are legally entitled to continue processing your personal data or to refuse that request.

- (f) The right to lodge a complaint with an EU data regulator if you think that any of your rights have been infringed by us.

You can exercise your rights by contacting us using the details set out under “Contacting us” below. You can find out more information about your rights by contacting an EU data regulator such as the Irish Data Protection Commissioner, or by searching its website at www.dataprotection.ie.

Contacting us

If you would like further information on the collection, use, disclosure, transfer or processing of your personal data or the exercise of any of the rights listed above, please address questions and requests to: The Directors, Bay Capital ICAV, 2nd Floor, Block 5, Irish Life Centre, Abbey Street Lower, Dublin 1, D01 P767, Ireland.

APPENDIX V

FATCA / CRS

A - INDIVIDUAL (CONTROLLING PERSONS) SELF-CERTIFICATION

Instructions for completion and Data Protection Notice

We are obliged under Section 891E, Section 891F and Section 891G of the Taxes Consolidation Act 1997 (as amended) and regulations made pursuant to those sections to collect certain information about each account holder's tax arrangements. Please complete the sections below as directed and provide any additional information that is requested. Please note that by completing this form you are providing personal information which may constitute personal data within the meaning of the General Data Protection Regulation (697/2016/EU) (the "GDPR") and applicable Irish data protection legislation (currently the Irish Data Protection Acts 1988 to 2018). Please note that in certain circumstances we may be legally obliged to share this information, and other financial information with respect to an investor's interests in the Sub-Fund and the Irish Revenue Commissioners. They may in turn exchange this information, and other financial information with foreign tax authorities, including tax authorities outside the EU.

If you have any questions about this form or defining the account holder's tax residency status, please speak to a tax adviser or local tax authority.

For further information on FATCA or CRS please refer to Irish Revenue Commissioners website at <http://www.revenue.ie/en/business/aeoi/index.html> or the following link to the OECD CRS Information Portal at <http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/> in the case of CRS only.

If any of the information below about the account holder's tax residence or FATCA/CRS classification changes in the future, please advise of these changes promptly.

Please note that where there are joint or multiple account holders **each account holder** is required to complete a separate Self-Certification form.

Sections 1, 2, 3 and 5 must be completed by all account holders or Controlling Persons.

Section 4 should only be completed by any individual who is a Controlling Person of an entity account holder which is a Passive Non-Financial Entity, or a Controlling Person of an Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution.

(Mandatory fields are marked with an *)

*Section 1: Account Holder/Controlling Person Identification

*Account Holder/Controlling Person Name: _____

*Current Residential Address:

Number: _____ Street: _____

City, Town, State, Province or County: _____

Postal/ZIP Code: _____ Country: _____

Mailing address (if different from above):

Number: _____ Street: _____

City, Town, State, Province or County: _____

Postal/ZIP Code: _____ Country: _____

*Place and Date Of Birth

*Town or City of Birth: _____ *Country of Birth: _____

*Date of birth: _____

***Section 2: FATCA Declaration of U.S. Citizenship or U.S. Residence for Tax purposes:**

Please tick either (a) or (b) and complete as appropriate.

(a) I confirm that **I am** a U.S. citizen and/or resident in the U.S. for tax purposes and my U.S. federal taxpayer number (U.S. TIN) is as follows:

(b) I confirm that **I am not** a U.S. citizen or resident in the U.S. for tax purposes.

Section 3: CRS Declaration of Tax Residency (please note you may choose more than one country)*

Please indicate your/ the investor's country of tax residence (if resident in more than one country please detail all countries of tax residence and associated taxpayer identification numbers ("TINs").

Please see the CRS Portal for more information on Tax Residency (<http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/#d.en.347759>).

NOTE: Under the Irish legislation implementing the CRS, provision of a TIN is required to be provided unless:

- a) You are tax resident in a Jurisdiction that does not issue a (TIN), or,
- b) You are tax resident in a non-reportable Jurisdiction (i.e. Ireland or the USA)

Country of Residency	TIN	If TIN unavailable Select (A, B or C) and check box below

If a TIN is unavailable, please tick the appropriate box as follows;

- Reason A** - The country/jurisdiction where the Account Holder is resident does not issue TINs or TIN equivalents to its residents
- Reason B** – The Account Holder is otherwise unable to obtain a TIN (Please explain why you are unable to obtain a TIN)
- Reason C** - No TIN is required. (Note: This should only be selected if the domestic law of the relevant country/jurisdiction does not require the collection of the TIN issued by such country/jurisdiction)

Section 4: Type of Controlling Person

(**ONLY** to be completed by any individual who is a Controlling Person of an entity investor which is a Passive Non-Financial Entity or an Investment Entity located in a Non-Participating Jurisdiction and managed by another Financial Institution)

For joint or multiple Controlling Persons please complete a separate Self-Certification form for **each** Controlling Person

Please confirm what type of Controlling Person applicable under CRS that applies to you/the investor	Please Tick	Entity Name
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"/>	

***Section 5: 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 within 30 days where any change in circumstances occurs which causes any of the information contained in this form to be incorrect.

Data Protection - Customer Information Notice :

The Common Reporting Standard (CRS), formally referred to as the Standard for Automatic Exchange of Financial Account Information, is an information standard for the automatic exchange of information (AEOI), developed in the context of the Organisation for Economic Co-operation and Development (OECD).

The standard requires that Financial Institutions in participating jurisdictions gather certain information from investors (and, in particular situations, also collect information in relation to relevant Controlling Persons of such investors).

Under CRS investor information (and, in particular situations, information in relation to relevant Controlling Persons of such investors) is to be reported to the relevant tax authority where the account is held, which, if a different country to that in which the investor resides, will be shared with the relevant tax authority of the investor's resident country, if that is a CRS-participating jurisdiction.

Information that may be reported includes name, address, date of birth, place of birth, account balance, any payments including redemption and dividend/interest payments, Tax Residency(ies) and TIN(s).

Further information is available on the OECD website: <http://oecd.org/tax/automatic-exchange/> and on the Irish Revenue website - <https://www.revenue.ie/en/companies-and-charities/international-tax/aeoi/index.aspx>

***Authorised Signature:** _____

***Print Name:** _____

*Date: (dd/mm/yyyy): _____

*Capacity: _____

B - ENTITY SELF-CERTIFICATION

Instructions for completion and Data Protection Notice

We are obliged under Section 891E, Section 891F and Section 891G of the Taxes Consolidation Act 1997 (as amended) and regulations made pursuant to those sections to collect certain information about each account holder's tax arrangements. Please complete the sections below as directed and provide any additional information that is requested. Please note that by completing this form you are providing personal information which may constitute personal data within the meaning of the General Data Protection Regulation (697/2016/EU) (the "GDPR") and applicable Irish data protection legislation (currently the Irish Data Protection Acts 1988 to 2018). Please note that in certain circumstances we may be legally obliged to share this information, and other financial information with respect to an investor's interests in the Sub-Fund and the Irish Revenue Commissioners. They may in turn exchange this information, and other financial information with foreign tax authorities, including tax authorities outside the EU.

If you have any questions about this form or defining the account holder's tax residency status, please speak to a tax adviser or local tax authority.

For further information on FATCA or CRS please refer to Irish Revenue Commissioners website at <http://www.revenue.ie/en/business/aeoi/index.html> or the following link to the OECD CRS Information Portal at <http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/> in the case of CRS only.

If any of the information below about the account holder's tax residence or FATCA/CRS classification changes in the future, please advise of these changes promptly.

Account holders that are Individuals or Controlling Persons should not complete this form and should complete the form entitled "Individual (including Controlling Persons) Self-Certification for FATCA and CRS".

(Mandatory fields are marked with an *)

*Section 1: Account Holder Identification

*Account Holder Name: _____ (the "Entity")

*Country of Incorporation or Organisation: _____

*Current (Resident or Registered) Address:

Number: _____ Street: _____

City, Town, State, Province or County: _____

Postal/ZIP Code: _____ Country: _____

Mailing address (if different from above):

Number: _____ Street: _____

City, Town, State, Province or County: _____

Postal/ZIP Code: _____ Country: _____

Country of Residency	TIN	If TIN unavailable Select (A, B or C) and check box below

If a TIN is unavailable, please tick the appropriate box as follows;

Reason A - The country/jurisdiction where the Account Holder is resident does not issue TINs or TIN equivalents to its residents

Reason B – The Account Holder is otherwise unable to obtain a TIN (Please explain why you are unable to obtain a TIN)

Reason C - No TIN is required. (Note: This should only be selected if the domestic law of the relevant country/jurisdiction does not require the collection of the TIN issued by such country/jurisdiction)

***Section 5: Entity’s CRS Classification**

(The information provided in this section is for CRS. Please note an Entity’s CRS classification may differ from its FATCA classification in Section 3 above).

In addition please note that the information that the Entity has to provide may differ depending on whether they are resident in a participating or non-participating CRS Jurisdiction.

For more information please see the OECD CRS Standard and associated commentary. <http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/>

5.1 Financial Institutions under CRS:

If the Entity is a *Financial Institution*, **Resident in either a Participating or Non-Participating CRS Jurisdiction** please review and tick one of the below categories that applies and specify the type of Financial Institution below.

Note: Please check the Irish Revenue AEOI portal at the time of completion of this form to confirm whether your country of Tax Jurisdiction is considered Participating or Non-Participating for the purposes of CRS Due-Diligence in Ireland.

<https://www.revenue.ie/en/companies-and-charities/documents/aeoi/participating-jurisdictions.pdf>

I.	A Reporting Financial Institution resident in a participating CRS jurisdiction	<input type="checkbox"/>
II.	A Financial Institution Resident in a Non-Participating Jurisdiction (Please also tick the box that applies)	<input type="checkbox"/>
	<input type="checkbox"/> An Investment Entity resident in a Non-Participating Jurisdiction and managed by another Financial Institution (If this box is ticked, please indicate the name of any Controlling Person(s) of the Entity in section 6 below and complete a separate individual self-certification form for each of your Controlling Persons)	
	<input type="checkbox"/> An Investment Entity resident in a Non-Participating Jurisdiction that is not managed by another Financial Institution	
	<input type="checkbox"/> Other Financial Institution , including a Depository Financial Institution, Custodial Institution or Specified Insurance Company	
III.	Non-Reporting Financial Institution under CRS. Specify the type of Non-Reporting Financial Institution below:	<input type="checkbox"/>
	<input type="checkbox"/> Governmental Entity	
	<input type="checkbox"/> International Organization	
	<input type="checkbox"/> Central Bank	
	<input type="checkbox"/> Broad Participation Retirement Fund	
	<input type="checkbox"/> Narrow Participation Retirement Fund	

	<input type="checkbox"/> Pension Fund of a Governmental Entity, International Organization, or Central Bank <input type="checkbox"/> Exempt Collective Investment Vehicle <input type="checkbox"/> Trust whose trustee reports all required information with respect to all CRS Reportable Accounts <input type="checkbox"/> Qualified Credit Card Issuer <input type="checkbox"/> Other Entity defined under the domestic law as low risk of being used to evade tax. Specify the type provided in the domestic law: _____	
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5.2 Non-Financial Institution (“NFE”) under CRS:

If the Entity is a not defined as a Financial Institution under CRS then please tick one of the below categories confirming if you are an Active NFE or Passive NFE.

I.	Active NFE – a corporation the stock of which is regularly traded on an established securities market. Please provide the name of the established securities market on which the corporation is regularly traded: _____	<input type="checkbox"/>
II.	Active NFE – if you are a Related Entity of a regularly traded corporation. Please provide the name of the regularly traded corporation that the Entity is a Related Entity of: _____ Please provide details of the securities market on which the Entity is regularly traded: _____	<input type="checkbox"/>
III.	Active NFE – a Government Entity or Central Bank	<input type="checkbox"/>
IV.	Active NFE – an International Organisation	<input type="checkbox"/>
V.	Active NFE – other than those listed in I, II, III or IV above. (for example a start-up NFE or a non-profit NFE)	<input type="checkbox"/>
VI.	Passive NFE - If this box is ticked please also complete Section 6.1 for each of the Controlling Person(s) of the Entity and a separate “ <i>Individual (including Controlling Person’s Self-Certification for FATCA and CRS form</i> ” as indicated in section 6.2 for each Controlling Person(s)	<input type="checkbox"/>

Section 6: Controlling Persons

NB: Please note that each Controlling Person must complete a separate “Individual (including Controlling Persons) FATCA and CRS Self-Certification” form.

If there are no natural person(s) who exercise control of the Entity then the Controlling Person will be the natural person(s) who hold the position of senior managing official of the Entity.

For further information on Identification requirements under CRS for Controlling Persons, see the Commentary to Section VIII of the CRS Standard.

<http://www.oecd.org/tax/automatic-exchange/common-reporting-standard/>

6.1 Controlling Person(s) of the Account Holder:
 If you have ticked a Passive NFE with Controlling Persons in either the FATCA or CRS Classification sections above, then please also complete this section for each of the Controlling Person(s) of the account holder and provide a separate “Individual (including Controlling Persons) FATCA and CRS Self-Certification” form for each Controlling person as per 6.2 below:

Indicate the name of all Controlling Person(s) of the Account Holder:

I.	
----	--

II.	
III.	

Note: In case of a trust, Controlling Persons means the settlor(s), the trustee(s), the protector(s) (if any), the beneficiary(ies) or class(es) of beneficiary(ies), **AND** any other natural person(s) exercising ultimate effective control over the trust. With respect to an Entity that is a legal person, if there are no natural person(s) who exercise control over the Entity, then the Controlling Person will be the natural person who holds the position of senior managing official of the Entity.

6.2 Complete a separate “Individual (including Controlling Persons) Self-Certification for FATCA and CRS” form for each Controlling Person listed in Section 6.1.

***Section 7: Declarations and Undertakings**

I/We declare (as an authorised signatory of the Entity) that the information provided in this form is, to the best of my/our knowledge and belief, accurate and complete.

I/We acknowledge and consent to the fact 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/We on behalf of the Entity undertake to advise the recipient promptly and provide an updated Self-Certification form within 30 days where any change in circumstance (for guidance refer to Irish Revenue or OECD website) occurs which causes any of the information contained in this form to be incorrect.

***Authorised Signature(s):**

***Print Name(s):**

***Capacity in which declaration is made:**

***Date: (dd/mm/yyyy):** _____

Annex

CRS Definitions

NFEs

An NFE means any entity that is not a financial institution. An NFE may be an **Active NFE** or a **Passive NFE**.

Active NFEs

Active NFEs by Reason of Income and Assets

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.

A Corporation the Stock of which is Regularly Traded on an Established Securities Market (or entity related to such a corporation)

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.

<i>Regularly Traded</i>	Meaningful volume of trading with respect to the stock on an on-going basis.
<i>Established Securities Market</i>	An exchange that is officially recognised and supervised by a governmental authority in which the market is located and that has a meaningful annual value of shares traded on exchange.
<i>Established Securities Market</i>	An exchange that is officially recognised and supervised by a governmental authority in which the market is located and that has a meaningful annual value of shares traded on the exchange.
<i>Related Entity</i>	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.

Governmental Entity - The government of a jurisdiction, any political subdivision of a jurisdiction (including a state, province, county, or municipality), or any wholly owned agency or instrumentality of a jurisdiction or of any one or more of the foregoing.

International Organisation - Any international organisation or wholly owned agency or instrumentality thereof. This category includes any intergovernmental organisation (including a supranational organisation) (1) that is comprised primarily of governments; (2) that has in effect a headquarters or substantially similar agreement with the jurisdiction; and (3) the income of which does not inure to the benefit of private persons.

Central Bank - An institution that is by law or government sanction the principal authority, other than the government of the jurisdiction itself, issuing instruments intended to circulate as currency. Such an institution may include an instrumentality that is separate from the government of the jurisdiction, whether or not owned in whole or in part by the jurisdiction.

Holding NFEs that are Members of a Nonfinancial Group - 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.

A Start-up Company formed in the past 24 months - 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.

NFE Liquidating or Emerging from Bankruptcy - 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.

Treasury Centers that are Members of a Nonfinancial Group - 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.

Non-Profit NFE

An NFE that meets 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 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.

Passive NFE - For purpose of completing this certification, a **Passive NFE** means any NFE that is not an **Active NFE**.

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 following activities or operations: trading in money market instruments; foreign exchange; exchange, interest rate and index instruments; transferrable securities; or commodity futures trading. 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 an Investment Entity that performs the above trading functions, if any of the managing Entities is such an Entity.

PARTICIPATING CRS JURISDICTION - A jurisdiction with which an agreement is in place pursuant to which it will provide the information set out in the CRS. A list of all participating jurisdictions can be found at: <http://www.oecd.org/tax/transparency/AEOI-commitments.pdf>

GLOBAL INTERMEDIARY IDENTIFICATION NUMBER (GIIN) - The term GIIN or Global Intermediary Identification Number means the identification number that is assigned to a participating FFI or registered deemed-compliant FFI. The term GIIN or Global Intermediary Identification Number also includes the identification number assigned to a reporting Model 1 FFI for purposes of identifying such entity to withholding agents. All GIINs will appear on the IRS FFI list.

Annex

FATCA Definitions - 1

FATCA STATUS – FINANCIAL INSTITUTION

Participating FFI - An FFI that has agreed to comply with the requirements of an FFI agreement, including an FFI described in a Model 2 IGA that has agreed to comply with the requirements of an FFI agreement. The term PFFI also includes a QI branch of a U.S. financial institution, unless such branch is a Reporting Model 1 FFI.

Local/Partner Jurisdiction FFI - An FFI located in a jurisdiction that has in effect an agreement with the United States to facilitate the implementation of FATCA. A list of all participating jurisdictions can be found at: <http://www.treasury.gov/resource-center/tax-policy/treaties/Pages/FATCA-Archive.aspx>

Trustee-Documented Trust - A trust established under the laws of the local jurisdiction to the extent that the trustee of the trust is a Reporting U.S. Financial Institution, Reporting Model 1 FFI, or Participating FFI and reports all information required to be reported pursuant to the Agreement with respect to all U.S. Reportable Accounts of the trust.

Registered Deemed-Compliant FFI - An FFI that registers with the IRS to declare its status. Includes certain local FFIs, non-reporting members of participating FFI groups, qualified collective investment vehicles, restricted funds, qualified credit card issuers and servicers, and sponsored investment entities and controlled foreign corporations.

Other Deemed-Compliant FFI - Deemed-compliant FFIs also include the following: Non-Registering Local Bank, FFI with Only Low Value Accounts, Sponsored Closely-Held Investment Vehicle, Limited Life Debt Investment Entity, and any other FFI treated as a deemed-compliant FFI under an applicable IGA (except for a registered deemed-compliant FFI).

Nonparticipating FFI - An FFI other than a participating FFI, a deemed-compliant FFI, or an exempt beneficial owner.

Exempt Beneficial Owner

An entity in one of the following categories:

Governmental Entity - The government of a jurisdiction, any political subdivision of a jurisdiction (including a state, province, county, or municipality), or any wholly owned agency or instrumentality of a jurisdiction or of any one or more of the foregoing.

International Organisation - Any international organisation or wholly owned agency or instrumentality thereof. This category includes any intergovernmental organization (including a supranational organisation) (1) that is comprised primarily of governments; (2) that has in effect a headquarters or substantially similar agreement with the jurisdiction; and (3) the income of which does not inure to the benefit of private persons.

Central Bank - An institution that is by law or government sanction the principal authority, other than the government of the jurisdiction itself, issuing instruments intended to circulate as currency. Such an institution may include an instrumentality that is separate from the government of the jurisdiction, whether or not owned in whole or in part by the jurisdiction.

Exempt Retirement Fund - A retirement fund that meets one of the following categories under the applicable IGA: Treaty-Qualified Retirement Fund, Broad Participation Retirement Fund, Narrow Participation Retirement Fund, Pension Fund of an Exempt Beneficial Owner, or Investment Entity Wholly Owned by Exempt Beneficial Owners.

Investment Entity - Wholly An Entity that is a Financial Institution solely because it is an Investment Entity, provided that each direct holder of an Equity Interest

Owned by Exempt BOs - in the Entity is an exempt beneficial owner, and each direct holder of a debt interest in such Entity is either a Depository Institution (with respect to a loan made to such Entity) or an exempt beneficial owner.

Direct Reporting NFFE - A direct reporting NFFE is a passive NFFE that elects to report certain information about its direct or indirect substantial U.S. owners directly to the IRS on Form 8966 in lieu of providing such information to the financial institutions at which the NFFE holds an account. Direct reporting NFFEs will be required to register with the IRS to obtain a GIIN and agree to report the information about its substantial U.S. owners directly to the IRS. A direct reporting NFFE will not be treated as a participating FFI or be required to enter into an FFI agreement; it will be treated as an excepted NFFE.

Sponsored Direct Reporting NFFE - An entity to serving as a sponsor for one or more direct reporting NFFEs, which will require the sponsoring entity to report information about a sponsored direct reporting NFFE s direct or indirect substantial U.S owners directly to the IRS on a Form 8966.

Annex

FATCA Definitions - 2

NFFEs

An NFFE means any entity that is not a financial institution. An NFFE may be an **Active NFFE** or a **Passive NFFE**.

Active NFFEs

Active NFFEs by Reason of Income and Assets

Less than 50% of the NFFE'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 NFFE during the preceding calendar year or other appropriate reporting period are assets that produce or are held for the production of passive income.

A Corporation the Stock of which is Regularly Traded on an Established Securities Market (or entity related to such a corporation)

The stock of the NFFE is regularly traded on an established securities market or the NFFE is a Related Entity of an Entity the stock of which is regularly traded on an established securities market.

<i>Regularly Traded</i>	Meaningful volume of trading with respect to the stock on an on-going basis.
<i>Established Securities Market</i>	An exchange that is officially recognised and supervised by a governmental authority in which the market is located and that has a meaningful annual value of shares traded on exchange.
<i>Established Securities Market</i>	An exchange that is officially recognised and supervised by a governmental authority in which the market is located and that has a meaningful annual value of shares traded on the exchange.
<i>Related Entity</i>	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.

Governmental Entity - The government of a jurisdiction, any political subdivision of a jurisdiction (including a state, province, county, or municipality), or any wholly owned agency or instrumentality of a jurisdiction or of any one or more of the foregoing.

International Organisation - Any international organisation or wholly owned agency or instrumentality thereof. This category includes any intergovernmental organisation (including a supranational organisation) (1) that is comprised primarily of governments; (2) that has in effect a headquarters or substantially similar agreement with the jurisdiction; and (3) the income of which does not inure to the benefit of private persons.

Central Bank - An institution that is by law or government sanction the principal authority, other than the government of the jurisdiction itself, issuing instruments intended to circulate as currency. Such an institution may include an instrumentality that is separate from the government of the jurisdiction, whether or not owned in whole or in part by the jurisdiction.

Holding NFFEs that are Members of a Nonfinancial Group - Substantially all of the activities of the NFFE 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.

A Start-up Company formed in the past 24 months - 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 does not qualify for this exception after the date that is 24 months after the date of the initial organisation of the NFFE.

NFFE Liquidating or Emerging from Bankruptcy - The NFFE 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.

Treasury Centers that are Members of a Nonfinancial Group - 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, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution.

Non-Profit NFFE

An NFFE that meets the following criteria:

- vi) 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;
- vii) it is exempt from income tax in its jurisdiction of residence;
- viii) it has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- ix) the applicable laws of the NFFE's jurisdiction of residence or the NFFE's formation documents do not permit any income or assets of the NFFE 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 NFFE's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the NFFE has purchased; and
- x) The applicable laws of the NFFE's jurisdiction of residence or the NFFE's formation documents require that, upon the NFFE'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 NFFE's jurisdiction of residence or any political subdivision.

Passive NFFE - For purpose of completing this certification, a **Passive NFFE** means any NFFE that is not an **Active NFFE**.

APPENDIX VI - AML Comfort Letter

[Letterhead of Investor]

Apex Fund Services (Ireland) Limited
2nd Floor, Block 5
Irish Life Centre
Abbey Street Lower
Dublin 1
D01 P767
Ireland

Date:

Re: Anti-Money Laundering Assurance Letter

Dear Sirs

We [insert name of Investor] with a registered office at [insert address] confirm that we are regulated by [insert Regulator] and apply anti-money laundering / counter-terrorist financing policies and procedures which are in line with those of local anti-money laundering legislation and regulation which in turn comply with measures detailed in **Directive** (EU) 2015/849 and any other related EU legislation (“AML Procedure”).

We have policies and procedures in place to:

- Identify our underlying clients and the beneficial owners and will retain sufficient information on file to verify the identity of all such clients and beneficial owners (please provide completed Wolfsberg questionnaire with this letter)
- Obtain information on directors (legal persons) or persons exercising similar positions (for legal arrangements)
- Collect relevant information in respect of the purpose and intended nature of the business relationship;
- Gather and record information about the origin of the client’s funds;
- Monitor the business relationship throughout the course of the relationship;
- Identify that none of our underlying clients are a foreign shell bank;
- Identify politically exposed persons (“PEPs”) and immediate family members and close associates of PEPs. To the extent that we have reason to know that any investors are PEPs, we have performed enhanced due diligence;
- Provide Apex with documentation, upon request and without delay, of all necessary documents and information related to clients and the beneficial owners which we have on our files;
- Verify when establishing a business relationship and on a regular basis that client(s) are not subject to restrictive measures or sanctions as published by the United Nations Security Council, Office of Foreign Assets Control (the “OFAC”) and/or the European Union.

We confirm that we undertake to retain such investor identification documentation and information for a period of at least five years after the relationship with the investor has ceased. We hereby undertake that we will notify Apex immediately of any concerns or suspicions that we may have in connection with investors in the context of any applicable anti-money laundering or terrorist financing legislation/regulations.

Yours faithfully

Name:
Title:

Authorised Signatory
for and on behalf of
[insert name]

Name:
Title:

Authorised Signatory
for and on behalf of
[insert name]

APPENDIX VII – Nominee AML Comfort Letter

[LETTERHEAD OF THE PARENT COMPANY]

Apex Fund Services (Ireland) Limited
2nd Floor, Block 5
Irish Life Centre
Abbey Street Lower
Dublin 1
D01 P767
Ireland

Date:

Re: [insert name of the regulated parent company]

Dear Sirs

We [insert name of parent company], parent company of [insert name of subsidiary] have a registered office at [insert address].

We confirm that we are regulated by [insert Regulator] and apply anti-money laundering / counter-terrorist financing policies and procedures which are in line with those of local anti-money laundering legislation and regulation which in turn comply with measures detailed in EU Directive 2005/60/EC and any other related EU legislation.

We herewith confirm that [insert name of subsidiary] is used to keep the assets of some of our clients. Furthermore, we confirm that our subsidiary is required to apply the same AML policies which are in line with the regulatory obligations of the parent company.

We have policies and procedures in place to:

- Identify our underlying clients and the beneficial owners and will retain sufficient information on file to verify the identity of all such clients and beneficial owners (please provide completed Wolfsberg questionnaire with this letter);
- Obtain information on directors (legal persons) or persons exercising similar positions (for legal arrangements);
- Collect relevant information in respect of the purpose and intended nature of the business relationship;
- Gather and record information about the origin of the client's funds;
- Monitor the business relationship throughout the course of the relationship;
- Identify that none of our underlying clients are a foreign shell bank;
- Identify politically exposed persons ("PEPs") and immediate family members and close associates of PEPs. To the extent that we have reason to know that any investors are PEPs, we have performed enhanced due diligence;
- Provide Apex with documentation, upon request and without delay, of all necessary documents and information related to clients and the beneficial owners which we have on our files. We will provide any such reasonable assistance as Apex may request where a suspicion of money laundering/terrorist financing by an Investor exists;
- Verify when establishing a business relationship and on a regular basis that client(s) are not subject to restrictive measures or sanctions as published by the United Nations Security Council, Office of Foreign Assets Control (the "OFAC") and/or the European Union.

We confirm that we undertake to retain such investor identification documentation and information for a period of at least five years after the relationship with the Investor has ceased.

Yours faithfully

*Name:
Title:

Name:
Title:

*Letter must be signed by parent company