

# Unit Trust Controlling Persons Annexure

MandG Investments Unit Trusts South Africa (RF) Ltd (Registration number: 1999/005242/06) (the Manager) is an approved CIS management company (#29) under the Collective Investment Schemes Control Act, 2002. Portfolio assets are managed by MandG Investment Managers (Pty) Ltd (Registration number: 2013/051515/07), which is an approved discretionary Financial Services Provider (#45199) for the MandG SA group (M&G Investments).

## Our contact details

**Sharecall:** 0860 105 775

**International:** +27 21 670 5101

**Email:** [instructions@mymandg.co.za](mailto:instructions@mymandg.co.za)

**Web:** [www.mandg.co.za](http://www.mandg.co.za)

**Postal address:**

PO Box 23167

Claremont

7735

**Physical address:**

7<sup>th</sup> Floor, Protea Place

30 Dreyer Street

Claremont

## How to complete this form

- To be completed by an individual authorised to act on behalf of the entity.
- Please indicate and sign the appropriate declaration under **Section 4**.
- Information written outside of the relevant fields in this form will not be considered when processing your application.

## Document checklist

- This completed, signed and dated form
- All controlling persons to supply certified copies of their ID/passport
- Documentation supporting the applicable changes requested\*

\* Please refer to the **FICA and Supporting Documentation Annexure** for a list of documentation we will accept

## What happens next

- Please e-mail a copy of this completed and signed form (pages 2-6) accompanied by the supporting documentation referred to above to [instructions@mymandg.co.za](mailto:instructions@mymandg.co.za). We reserve the right to request additional documents, if required.
- Processing can only happen once all the necessary documents have been received. Failure to do so will cause a delay in your funds being invested.

## Important information

- **Daily cut-off times:** 11:30 for M&G Money Market Fund  
13:30 for all other investment options

### 1 Existing investor details

Existing M&G investor number

Entity name (e.g. company or trust name)

### 2 Contact details to be changed (if applicable)

#### Details of contact person at entity

Please note all correspondence (statements, notifications) will be sent to the contact person listed below.

Title  First name(s)

Surname  Gender M  F

Capacity

ID number (Passport number if foreign national)  Passport expiry date

Country/Area code

Number

Country/Area code

Number

Telephone +  /   Cellphone\* +  -

Email address\*

\*If you have appointed a Financial Adviser on this investment, they may have the ability to submit instructions on your behalf via the Manager's secure online platform. Notification of these instructions submitted by your Financial Adviser will be sent to this cell phone number and email address for approval before being processed. It is your responsibility to ensure that this cellphone number and email address is your own and that it is not accessible by others.

**3 Controlling persons to be added/removed**

**Self-certification for Controlling Persons<sup>4</sup> (All information is mandatory for Controlling Persons)**

**Tax residency**

Tax regulations and FICA require us to collect information about each Controlling Person's<sup>4</sup> tax residency. In certain circumstances we may be obliged to share information about your Controlling Persons with SARS who may in turn share the information with any or all participating tax jurisdictions. Please indicate all countries in which your Controlling Persons are resident for tax purposes and their associated Tax Identification Numbers in the table below. If you have any questions about tax residency, please contact your tax advisor. If you are completing this section on behalf of your Controlling Persons it is your responsibility to ensure they are aware that their information may be shared as described above.

Please supply a copy of each controlling person's (associated with the entity) ID or passport. Please also provide us with a specimen signature for those authorised to transact on behalf of the entity.

Please complete the primary tax residency for each controlling person.

**Controlling person 1 and/or Authorised representative**

Controlling person to be added or removed? Added  Removed\*  (\*if removing only complete the necessary details)

Full name and surname\*

ID/Passport number\*  Date of birth\*

Capacity\* Managing Director  Member  Partner  Natural person holding 25% or more of the voting rights

Trustee, beneficiary and/or settlor of trust  Other Persons exercising control  Authorised representative (e.g. power of attorney)

Address

Nationality  Country of citizenship

Tax identification number (TIN)  Please tick if this country does not issue a TIN number

Are you a passport holder, citizen, resident or tax resident in the USA? Yes  No

**Prominent Person Declarations**

Please complete the below section. If you require more information refer to **Appendix 1** at the back of this application form:

Are you a Domestic Politically Exposed Person as defined in the Financial Intelligence Act as amended? Yes  No

Are you a Prominent Influential Person as defined in the Financial Intelligence Act as amended? Yes  No

Are you a Foreign Politically Exposed Person as defined in the Financial Intelligence Act as amended? Yes  No

Are you a family member or known close associate of a Domestic Politically Exposed Person or a Foreign Politically Exposed Person or a Prominent Influential Person as defined in the Financial Intelligence Centre Act as amended? Yes  No

**Controlling person 2 and/or Authorised representative**

Controlling person to be added or removed? Added  Removed\*  (\*if removing only complete the necessary details)

Full name and surname\*

ID/Passport number\*  Date of birth\*

Capacity\* Managing Director  Member  Partner  Natural person holding 25% or more of the voting rights

Trustee, beneficiary and/or settlor of trust  Other Persons exercising control  Authorised representative (e.g. power of attorney)

Address

Nationality  Country of citizenship

Tax identification number (TIN)  Please tick if this country does not issue a TIN number

Are you a passport holder, citizen, resident or tax resident in the USA? Yes  No

**Prominent Person Declarations**

Please complete the below section. If you require more information refer to **Appendix 1** at the back of this application form:

- Are you a Domestic Politically Exposed Person as defined in the Financial Intelligence Act as amended? Yes  No
- Are you a Prominent Influential Person as defined in the Financial Intelligence Act as amended? Yes  No
- Are you a Foreign Politically Exposed Person as defined in the Financial Intelligence Act as amended? Yes  No
- Are you a family member or known close associate of a Domestic Politically Exposed Person or a Foreign Politically Exposed Person or a Prominent Influential Person as defined in the Financial Intelligence Centre Act as amended? Yes  No

**Controlling person 3 and/or Authorised representative**

Controlling person to be added or removed? Added  Removed\*  (\*if removing only complete the necessary details)

Full name and surname\*

ID/Passport number\*  Date of birth\*

Capacity\* Managing Director  Member  Partner  Natural person holding 25% or more of the voting rights

Trustee, beneficiary and/or settlor of trust  Other Persons exercising control  Authorised representative (e.g. power of attorney)

Address

Nationality  Country of citizenship

Tax identification number (TIN)  Please tick if this country does not issue a TIN number

Are you a passport holder, citizen, resident or tax resident in the USA? Yes  No

**Prominent Person Declarations**

Please complete the below section. If you require more information refer to **Appendix 1** at the back of this application form:

- Are you a Domestic Politically Exposed Person as defined in the Financial Intelligence Act as amended? Yes  No
- Are you a Prominent Influential Person as defined in the Financial Intelligence Act as amended? Yes  No
- Are you a Foreign Politically Exposed Person as defined in the Financial Intelligence Act as amended? Yes  No
- Are you a family member or known close associate of a Domestic Politically Exposed Person or a Foreign Politically Exposed Person or a Prominent Influential Person as defined in the Financial Intelligence Centre Act as amended? Yes  No

**Controlling person 4 and/or Authorised representative**

Controlling person to be added or removed? Added  Removed\*  (\*if removing only complete the necessary details)

Full name and surname\*

ID/Passport number\*  Date of birth\*

Capacity\* Managing Director  Member  Partner  Natural person holding 25% or more of the voting rights

Trustee, beneficiary and/or settlor of trust  Other Persons exercising control  Authorised representative (e.g. power of attorney)

Address

Nationality  Country of citizenship

Tax identification number (TIN)  Please tick if this country does not issue a TIN number

Are you a passport holder, citizen, resident or tax resident in the USA? Yes  No

**Prominent Person Declarations**

Please complete the below section. If you require more information refer to **Appendix 1** at the back of this application form:

- Are you a Domestic Politically Exposed Person as defined in the Financial Intelligence Act as amended? Yes  No
- Are you a Prominent Influential Person as defined in the Financial Intelligence Act as amended? Yes  No
- Are you a Foreign Politically Exposed Person as defined in the Financial Intelligence Act as amended? Yes  No
- Are you a family member or known close associate of a Domestic Politically Exposed Person or a Foreign Politically Exposed Person or a Prominent Influential Person as defined in the Financial Intelligence Centre Act as amended? Yes  No

## 4 Investor Declaration

### By signing this form, you confirm that:

- The Manager has:
  - Provided you with sufficient business information, confirmation of the required management company licence and confirmation of the areas of financial service that it is licensed to offer within M&G Investments.
  - Not done any financial or investment analysis for you. There is the risk that your chosen investment portfolio or fund may not be entirely appropriate for your circumstances.
- You understand that:
  - It is your responsibility to carefully consider on your own, or by seeking advice from a Financial Adviser should you choose to do so, whether your chosen fund's benchmark and terms and conditions are appropriate for your objectives, financial situation and particular needs.
  - The market value of your investment will fluctuate in line with the market values of the underlying securities of the funds. The investment is subject to any volatility in the underlying markets, including exchange rate fluctuations.
  - This application, together with the main trust deed, supplemental trust deed, fund fact sheets and/or Minimum Disclosure Document of your chosen unit trust fund/s constitute the entire agreement between you and the Manager.
- The source of any investment amount has been declared and any other aspect of a transaction relating to this investment complies with the Financial Intelligence Centre Act (FICA).
- Submissions made are in accordance with the provisions of the Income Tax Act (where applicable), and in accordance with the provisions of the international tax treaties whereby:
  - The information you provide in this form, including but not limited to your tax residency, is to the best of your knowledge and belief, accurate and complete; and
  - You undertake to forthwith inform M&G in writing should the circumstances referred to in this declaration change. In terms of tax legislation, failure to provide acceptable tax residency information may lead to the suspension or termination of your investment.
- You are acting for your own account and you have made your own independent decision to enter into this investment.
- You are not relying on any communication from the Manager – whether written, oral or implied – as investment advice or as a recommendation to enter into the investment. You are not considering the information and explanations relating to the terms and conditions of an investment as investment advice or a recommendation.
- You have received no assurance or guarantee from the Manager regarding the expected returns of the investment.
- The information in this form is true and correct. All material facts must be accurately disclosed. You are responsible for the accuracy and completeness of all answers, statements or other information provided on your behalf.
- Where this application is signed in a representative capacity, you have the necessary authority to do so, and this transaction is within your power.
- Information relating to your account (including duplicate statements, valuations and other information that may be required from time to time) may be released to you or to the Financial Adviser indicated in this application (if applicable) either when requested by the Financial Adviser or directly via the Financial Adviser's access to the Manager's secure online platform.
- You have received the following information from either the Manager or your Financial Adviser and have read it:
  - The most recent version of the terms and conditions of this investment available on our website ([www.mandg.co.za/personal-investor/terms-and-conditions/](http://www.mandg.co.za/personal-investor/terms-and-conditions/))
  - The Fund Fact Sheet/s or Minimum disclosure document/s (MDD) of your chosen unit trust funds
  - The risk warning (below)
- If you have appointed a Financial Adviser in respect of your investment with the Manager, you hereby acknowledge and agree that by appointing such Financial Adviser, you instruct and authorise the Manager to act on instructions received from your Financial Adviser and his/her office either via e-mail, in writing or via the Manager's secure online platform;
- If you have appointed a Financial Adviser in respect of your investment with the Manager, you hereby confirm that you have concluded a written agreement appointing your Financial Adviser, which agreement remains in force;
- If you have appointed a Financial Adviser in respect of your investment with the Manager, you hereby indemnify the Manager and M&G Investments against any direct or indirect claims (including claims for consequential damages) which may be made against the Manager and M&G Investments in respect of loss or damage which may result from the Manager acting on any instructions submitted to the Manager by yourself or via your Financial Adviser and his/her office. This indemnity does not extend to any claims in respect of loss or damage which results from any negligence or wilful errors or omissions committed by the Manager.
- You hereby acknowledge and confirm that in the event that you are a victim of a cybercrime (e.g. hacked, phished, pharmed, identity theft scams, malware, spoofed, keylogging, sniffing, invasion of privacy etc.) committed by a third party and an instruction is given to the Manager in your name, whether or not authorised or known by you, the Manager and M&G Investments will not be responsible for any loss or damage which may result from the Manager following such instruction and you hereby indemnify the Manager and M&G Investments against all direct or indirect claims (including claims for consequential damages) which may be made against the Manager and M&G Investments in this regard.
- You hereby consent to the Manager processing your personal information as described in the terms and conditions set out below.
- You have read and accept the Terms & Conditions contained in Section 11 of this form and also the most recent version of the terms and conditions of this investment available on our website ([www.mandg.co.za/personal-investor/terms-and-conditions/](http://www.mandg.co.za/personal-investor/terms-and-conditions/)).

### Instruction in respect of adviser fees

If you have appointed a Financial Adviser in respect of your investment with the Manager, by signing this form, you hereby authorize and instruct the Manager to pay the ongoing adviser fee (as indicated in **Section 9**) in respect of the M&G Funds (indicated in **Section 9**) which you are investing in via the regular repurchase of your units to the extent required to settle the ongoing adviser fee on your behalf. By signing this form, you hereby authorize and instruct the Manager to pay the initial adviser fee (indicated in **Section 9**) in respect of the M&G Funds (indicated in **Section 9**) which you are investing in via the repurchase of your units to the extent required to settle the initial adviser fee on your behalf.

**Risk warning**

CISs are generally medium-to long-term investments. Past performance is not necessarily a guide to future investment performance. The prices in respect of participatory interests in a CIS portfolio are calculated on a net asset value basis. This means the price is the total net market value of all assets of the particular portfolio of the CIS divided by the total number of participatory interests in such portfolio of the CIS. Any market movements – for example in share prices, bond prices, money market prices or currency fluctuations – relevant to the underlying assets comprising the applicable CIS portfolio in which participatory interests are held may cause the value of such underlying assets to go up or down. As a result, the price of the participatory interests linked to your policy may go up or down. Participatory interests in CISs are traded at the ruling forward price of the day, meaning that transactions are processed during the day before you or the Manager of the CIS know what the price at the end of the day will be. The price and therefore the number of participatory interests involved in the transaction are only known on the following day. The CIS may borrow up to 10% of the scheme value, and it may also lend any scrip (proof of ownership of an investment instrument) that it holds to earn additional income. A M&G CIS may consist of portfolios comprising different asset classes and types that are subject to different fees and charges. Where applicable, the Manager of the CIS will pay your Financial Adviser an annual standard adviser fee, which is included in the overall costs of the CIS. A summary with all fees and maximum initial and ongoing adviser fees in respect of each CIS is available on our website. The Manager of the CIS may, at its discretion, close your chosen CIS to new investors and to additional investments by existing investors to make sure that it is managed in accordance with its mandate. It may also stop your existing debit order investment. The Manager makes no guarantees as to the capital invested in the CIS or the returns thereof. Excessive withdrawals from the CIS may place it under liquidity pressure and, in such circumstances, a process of ring fencing withdrawal instructions and managed pay outs over time may be followed. A money market fund is not a bank deposit account and The M&G Money Market Fund aims to maintain a constant price of 100 cents per participatory interest in such scheme. A Feeder fund may only invest in a single portfolio of a CIS which levy its own charges that could result in a higher fee structure for these funds. Foreign securities including foreign CISs may be included in underlying CIS portfolios. As a result, those CIS portfolios may face material risks. The volatility of the CIS may be higher and the liquidity of the underlying securities comprising the applicable portfolio of the CIS may be restricted due to relative market sizes and market conditions. The CIS's ability to settle securities and to repatriate investment income, capital or the proceeds of sales of securities may be adversely affected for multiple reasons including market conditions, macro-economic and political circumstances. Further, the return on the securities comprising a particular portfolio may be affected (positively or negatively) by the difference in tax regimes between the domestic and foreign tax jurisdictions. The availability of market information and information on any underlying sub-funds may be delayed. The investor acknowledges the inherent risk associated with the selected CISs and that there are no guarantees. M&G Investments is a member of the Association of Savings and Investments of South Africa.

Full name of investor or person authorised to sign on behalf of investor

Capacity

Signature of investor or person authorised to sign on behalf of investor

Place

Date

D		D		M		M		C		C		Y		Y
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## Appendix 1

### Tax residency self-certification explanatory notes

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

#### Definitions common to FATCA and CRS

##### 1. Tax Regulations

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

##### 2. FATCA and CRS

###### FATCA

FATCA regulations in sections 1471 to 1474 of the US Internal Revenue Code and the Treasury regulations and official guidance issued thereunder, as amended from time to time, as adopted in South Africa.

###### CRS

The OECD Common Reporting Standard (CRS), as adopted in South Africa.

##### 3. Non-Profit Organisation

An entity that meets ALL of the following criteria:

- (i) it is established and operated in its jurisdiction of residence exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in its jurisdiction of residence and it is a professional organisation, business league, chamber of commerce, labour organisation, agricultural or horticultural organisation, civic league or an organisation operated exclusively for the promotion of social welfare;
- (ii) it is exempt from income tax in its country of residence;
- (iii) it has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- (iv) the applicable laws of the entity's country of residence or the entity's formation documents do not permit any income or assets of the entity to be distributed to, or applied for the benefit of, a private person or non-charitable entity other than pursuant to the conduct of the entity's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the entity has purchased; and
- (v) the applicable laws of the entity's country of residence or the entity's formation documents require that, upon the entity's liquidation or dissolution, all of its assets be distributed to a governmental entity or other non-profit organisation, or escheat to the government of the entity's country of residence or any political subdivision thereof.

##### 4. Controlling Persons

The term "Controlling Persons:"

- (i) for Company - means Managing Director; any natural person holding 25% or more of the voting rights in such Company; any other natural person/company official exercising control over such Company;
- (ii) for Closed Corporation - each and every member; any other natural person exercising control over such Closed Corporation;
- (iii) for Partnership - each and every partner; any other person exercising control over the Partnership;
- (iv) for Trust - each and every Trustee; each and every named beneficiary; the settlor; any other natural person exercising control over the Trust; and
- (v) for Other Legal Person, any natural person holding 25% or more of the voting rights in the entity or exercising control in some other manner.

The term "Controlling Persons" must be interpreted in a manner consistent with the Financial Action Task Force Recommendations.

#### Control

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

#### Classifications under FATCA

##### 5. US Territory

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

##### 6. Exempt Beneficial Owner

The term "Exempt Beneficial Owner" means:

- (i) a South African Governmental Organisation;
- (ii) an International Organisation (examples of which include The International Monetary Fund, The World Bank, The International Bank for Reconstruction and Development and The European Community – for a full list please see the relevant guidance issued by SARS, or the IRS);
- (iii) a Central Bank; or
- (iv) a South African broad or narrow participation retirement fund falling within the definition of Exempt Beneficial Owner for the purposes of FATCA<sup>2</sup>; or
- (v) a pension fund of, or an investment entity wholly owned by organisations listed in criteria (i) to (iii).

South African Schedule 3A Domestic Politically Exposed Person	South African Schedule 3B Foreign Politically Exposed Person
<p>A domestic political exposed person is an individual who -</p> <p>(a) holds, including in acting position for a period of <b>exceeding six (6) months, or has held a prominent public function in the Republic</b>, including that of -</p> <ul style="list-style-type: none"> <li>i. the President or Deputy President;</li> <li>ii. a government minister or deputy minister;</li> <li>iii. the Premier of a province;</li> <li>iv. a member of the Executive Council of a province;</li> <li>v. an executive mayor of a municipality elected in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);</li> <li>vi. a leader of a political party registered in terms of the Electoral Commission Act, 1996 (Act No. 51 of 1996);</li> <li>vii. a member of a royal family or senior traditional leader as defined in the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003);</li> <li>viii. the head, accounting officer or chief financial officer of a national or provincial department or government component, as defined in section 1 of the Public Service Act, 1994 (Proclamation No. 103 of 1994);</li> <li>ix. the municipal manager of a municipality appointed in terms of section 54A of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), or a chief financial officer designated in terms of section 80 (2) of the Municipal Finance Management Act, 2003 (Act No. 56 of 2003);</li> <li>x. the chairperson of the controlling body, the chief executive officer, or a natural person who is the accounting authority, the chief financial officer or the chief investment officer of a public entity listed in Schedule 2 or 3 to the Public Finance Management Act, 1999 (Act No. 1 of 1999);</li> <li>xi. the chairperson of the controlling body, chief executive officer,</li> <li>xii. chief financial officer or chief investment officer of a municipal entity as defined in section 1 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);</li> <li>xiii. a constitutional court judge or any other judge as defined in section 1 of the Judges' Remuneration and Conditions of Employment Act, 2001 (Act No. 47 of 2001);</li> <li>xiv. an ambassador or high commissioner or the senior representative of a foreign government based in the Republic; or</li> <li>xv. an officer of the South African National Defence Force above the rank of major general;</li> </ul> <p>(b) ...</p> <p>(c) the position of head, or other executive directly accountable to that head, of an international organisation based in the Republic.</p>	<p>A foreign politically exposed person is an individual who holds, or has held, in any foreign country a prominent public function including that of a -</p> <ul style="list-style-type: none"> <li>(a) Head of State or head of a country or government;</li> <li>(b) member of a foreign royal family;</li> <li>(c) government minister or equivalent senior politician or leader of a political party;</li> <li>(d) senior judicial official;</li> <li>(e) senior executive of a state owned corporation; or</li> <li>(f) high-ranking member of the military.</li> </ul> <p>(Date of commencement: 2 October, 2017)</p> <p><b>SCHEDULE 3C PROMINENT INFLUENTIAL PERSON</b></p> <p>A prominent influential person is an individual who holds, or has held at any time in the preceding 12 months, the position of -</p> <ul style="list-style-type: none"> <li>(a) chairperson of the board of directors;</li> <li>(b) chairperson of the audit committee;</li> <li>(c) executive officer; or</li> <li>(d) chief financial officer,</li> </ul> <p>of a company, as defined in the Companies Act, 2008 (Act No. 71 of 2008), if the company provides goods or services to an organ of state and the annual transactional value of the goods or services or both exceeds an amount determined by the Minister by notice in the Gazette.</p> <p>[Schedule 3C inserted by s. 53 of Act No. 22 of 2022 w.e.f. 31 December, 2022.]</p> <p><b>FAMILY MEMBERS AND KNOWN CLOSE ASSOCIATES (RCA'S).</b></p> <p>(1) Sections 21F and 21G apply to immediate family members and known close associates of a foreign or domestic politically exposed person or a prominent influential person, as the case may be.</p> <p>[Subs. (1) substituted by s. 27 of Act No. 22 of 2022 w.e.f. 31 December, 2022.]</p> <p>(2) For our purposes, an immediate family member includes:</p> <ul style="list-style-type: none"> <li>(a) the spouse, civil partner or life partner;</li> <li>(b) the previous spouse, civil partner or life partner, if applicable;</li> <li>(c) children and step children and their spouse, civil partner or life partner;</li> <li>(d) parents; and</li> <li>(e) sibling and step sibling and their spouse, civil partner or life partner.</li> </ul> <p>(S21h of FICA, as amended)</p>