



# BENEFICIAL OWNERSHIP DECLARATION FORM

As defined in the AML/CFT Act 2009, a Beneficial Owner is an individual who:

- a) has effective control of a client (or individual on whose behalf a transaction is conducted); and/or
- b) owns more than 25% of the client (or individual on whose behalf a transaction is conducted)

The Directors, Partners, Sole Trader Proprietors and trustees identified will all fall under the definition of Beneficial Owners. However it is important that **any additional** Beneficial Owners are identified below.

## 1. Owns more than 25%

Are there any **additional** individuals whose **direct or indirect shareholdings** amount to more than 25%? (if Yes please supply details below)

Yes  No

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
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### Country of Citizenship

### Address

Street Address	
Suburb	
Town/City	Postcode
Country	

### % of shares

 %

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
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### Country of Citizenship

### Address

Street Address	
Suburb	
Town/City	Postcode
Country	

### % of shares

 %

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
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### Country of Citizenship

### Address

Street Address	
Suburb	
Town/City	Postcode
Country	

### % of shares

 %

## 2. Effective Control

Are there any **additional** individuals who have *Effective Control* of the client (such as voting rights)

(if Yes please supply details below)

Yes  No

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
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### Country of Citizenship

### Address

Street Address	
Suburb	
Town/City	Postcode
Country	

### Position/Control

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
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### Country of Citizenship

### Address

Street Address	
Suburb	
Town/City	Postcode
Country	

### Position/Control

## 3. On whose behalf

Are there any **additional** individuals on whose behalf the client is operating?

(if Yes please supply details below)

Yes  No

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
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### Country of Citizenship

### Address

Street Address	
Suburb	
Town/City	Postcode
Country	

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
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### Country of Citizenship

### Address

Street Address	
Suburb	
Town/City	Postcode
Country	

## 4. Trust Beneficiaries

Is this client a trust?

(if Yes please complete either beneficiary details or object/beneficiary class/type below)

Yes  No

For trusts (except charitable and discretionary trusts) with ten or less beneficiaries, please provide full name and date of birth of each beneficiary. If more than 4 trust beneficiaries please continue on separate page and attach.

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
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### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
---	---	---	---	---	---

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
---	---	---	---	---	---

### Name

First	
Last	

### Date Of Birth

D	D	M	M	Y	Y
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> For charitable trusts, please specify the objects of the trust.

> For discretionary trusts please list each class or type of beneficiary.

> For other trusts with more than ten beneficiaries, please list each class or type of beneficiary.

### Object/Beneficiary Class/Type

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### Object/Beneficiary Class/Type

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### Object/Beneficiary Class/Type

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## Declaration

I/We certify that all the information supplied is true and complete. I/We hereby authorise Real Finance Limited to make any enquiries it considers necessary for confirmation of the above. In addition, I/we confirm that we have or will:

Immediately notify Real Finance Limited in writing, of any change to the list of Beneficial Owner(s) of such legal entity and to provide the corresponding identity document and proof of address for each new Beneficial Owner.

### Name

First	
Last	

### Position/Control

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### Signature

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D	D	M	M	Y	Y
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### Name

First	
Last	

### Position/Control

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### Signature

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D	D	M	M	Y	Y
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## Notes Accompanying The Beneficial Owner Declaration Form

### 1. Why do we ask for Beneficial Owner declaration?

The Anti-Money Laundering and Counter Financing of Terrorism (AML/CFT) Act of 2009 requires financial institutions to identify the Beneficial Owners of our clients.

In order to comply with this legal obligation to identify and report the Beneficial Owners of a legal Entity, a Beneficial Owner Declaration Form should be completed by the representatives of the company or entity.

### 2. Who should complete and sign the declaration?

The declaration must be completed by the individual(s) authorised to represent the company or entity in accordance with its founding documents.

### 3. Who is to be named as the Beneficial Owner?

The AML/CFT Beneficial Ownership Guidelines (December 2012) published jointly by the Reserve Bank of New Zealand, Financial Markets Authority and Department of Internal Affairs, specify three tests to identify beneficial ownership.

These are:

- Who owns more than 25%** of the client?
- Who has effective control** of the client?
- On whose behalf** is the client conducting a transaction?

Any Directors, Partners, Sole Trader Proprietors and Trustees named will automatically qualify as Beneficial Owners. However it is important that all three of the questions above are answered, so any additional individuals who meet one of the criteria above are entered on this form. For each of the criteria if there are no additional individuals who meet the criteria then this should be declared in the "No" box.

#### a. Companies

a.1 *For a company with limited number of larger shareholders or owners controlling the company.*

Any individual who owns more than 25% shares of the company. Fill out section 1.

a.2 *For a company with large number of smaller shareholders*

In this situation, it is difficult to provide the names of all the owners. Completion of this form confirms that no individual with a shareholding of 25% or more exists. The control of the company is considered to be in the hands of the directors.

a.3 *What if another legal entity is a shareholder in a company?*

In general beneficial owners must be named individuals. If the owners of a legal entity are themselves one or more companies, then further information is required to establish the identity of the individuals who are the owners of these companies.

#### b. Non-profit organisations

No one 'owns' a non-profit organisation. In such cases the declaration must contain the names of the individuals exercising control or making executive decisions (Beyond the President, and/or Treasurer, who will already have been identified in the Non-personal client information Business client details form. Fill out section 2.

#### c. Foundations, Trusts etc.

No one 'owns' a foundation, trust or other similar entity. In these cases the Beneficial Owners are:

An individual who, directly or indirectly, exercises control over the property of the trust or foundation (Beyond the Trustees, who will already have been identified in the Non-personal client information – Business client details form). Fill out Section 2.

#### d. Persons on whose behalf a transaction is conducted.

In some circumstances you may be aware that transactions will be conducted by the client on behalf of an individual who has not been identified as a Beneficial Owner by any other measure. This may apply to any kind of client, not just trusts and does not apply to beneficiaries of trusts, who are captured in a separate section. Fill out section 3.

### 4. Are Trust Beneficiaries counted as Beneficial Owners?

No. Even though they may appear very similar to those individuals identified under section 3, Trust Beneficiaries are in fact not considered to be Beneficial Owners under the AML/CFT Act. However they are explicitly covered in the AML/CFT regulations and it is essential to record either the full name or date of birth of each beneficiary, or to record the class or type of beneficiary or the objects of the trust. Fill out section 4.