

INFORMATION MEMORANDUM  
FOR CLASS A UNITS IN THE  
  
OTG CAPITAL  
ASSET BACKED INVESTMENT TRUST



## Thank You and Welcome

Thank you for considering OTG Capital's Trust for your investment portfolio.

To invest in Class A Units in the OTG Capital Asset Backed Investment Trust (**Trust**), please read this Information Memorandum for the Trust (**Information Memorandum**) and the terms (**Terms**) contained in this Application Pack carefully before making any investment decision.

We recommend you seek professional advice before investing as the Information Memorandum and Terms do not take into account your personal circumstances. If you have any questions, then please do not hesitate to contact us.

The management team and staff at OTG Capital look forward to meeting with you and helping with your investment.

A handwritten signature in black ink that reads "R. Trevisan".

**Ray Trevisan**  
Director & Fund Manager



Level 2, 341 Barrenjoey Road  
Newport NSW 2106  
PO Box 149, Newport NSW 2106



T: 1300 OTG CAP  
T: 1300 684 227  
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[info@otgcapital.com.au](mailto:info@otgcapital.com.au)



[www.otgcapital.com.au](http://www.otgcapital.com.au)

This Information Memorandum and Terms for Class A Units in the Trust are issued by OTG Capital Pty Limited ABN 64 605 573 948, CAR No. 001250963 on 18 July 2018 (1<sup>st</sup> edition), 1 January 2020 (2<sup>nd</sup> edition) and 1 July 2021 (**3<sup>rd</sup> edition - current**).

## Corporate Directory

### Trustee

AMAL Trustees Pty Limited  
ABN 98 609 737 604  
AFSL 483459  
Level 9, 9 Castlereagh Street  
Sydney NSW 2000

### Investment Manager

OTG Capital Pty Limited  
ABN 64 605 573 948  
CAR No. 001250963  
Level 2, 341 Barrenjoey Road  
Newport NSW 2106

### Chartered Accountant

Richard Clarke CPA  
T6D  
36 Owen Lane  
Auchenflower QLD 4066

### Compliance Manager

Phil Osborne  
Philborne Pty Limited  
98 High Street  
Trentham VIC 3458

## Important Information

This Information Memorandum and Terms are dated 1 July 2021.

OTG Capital Pty Limited ABN 64 605 573 948, CAR No. 001250963 (**OTG Capital**) has prepared and issued this Information Memorandum and Terms.

AMAL Trustees Pty Limited (**AMAL** or the **Trustee**) is the trustee of the Trust and the issuer of the Class A Units in the Trust.

Apart from being named as the trustee of, and issuer of units in, the Trust, the Trustee takes no responsibility for the contents of this Information Memorandum and Terms. To the maximum extent permitted by law, the Trustee expressly disclaims and takes no responsibility for any part of these Supplemental Terms other than the references to its name. None of the Trustee, nor OTG Capital guarantees the repayment of capital or any particular rate of capital or income return.

The Trustee has consented to be named in this Information Memorandum and Terms as trustee of the Trust in the form and context in which it is named.

This is an important document and you are encouraged to read it carefully. Because it does not take into account your personal circumstances, you are encouraged to seek professional advice before investing. This Information Memorandum and Terms are not intended to be a recommendation by OTG Capital, the Trustee or any of their associates or any other person to invest in the Trust.

# Information Memorandum and Application Pack for Class A Units

relating to investments in the

## OTG CAPITAL ASSET BACKED INVESTMENT TRUST

Investment Manager

OTG Capital Pty Limited

ABN 64 605 573 948 CAR No.001250963

[www.otgcapital.com.au](http://www.otgcapital.com.au)

Trustee

AMAL Trustees Pty Limited

ABN 98 609 737 604 AFSL 483459

[www.amal.com.au](http://www.amal.com.au)

Dated 1 July 2021

### Before you start

To invest in Class A Units relating to investments held in the OTG Capital Asset Backed Investment Trust, you must:

- ① Read the information memorandum and terms (Information Memorandum) issued by OTG Capital Pty Limited (OTG Capital Pty Limited or the **Investment Manager**) dated 1 July 2021
- ① Seek professional advice before investing and
- ① If you are satisfied you wish to proceed to invest in Class A Units in the Trust, complete the application pack contained in this IM in full and return it to us, together with all supporting identification documentation and applicable certificates.

### *Please note:*

- ① Supply of Tax File Numbers (**TFN**) is discretionary. It is not an offence if you decide not to supply your TFN. If you do not supply your TFN, however, tax will be deducted from your income earned at the highest marginal tax rate (plus Medicare levy) and forwarded to the Australian Taxation Office. These deductions will appear on your statements.

- ④ Joint applications must be signed by all applicants. Joint investments will be deemed to be held as joint tenants.
- ④ Applications under Power of Attorney must be accompanied by a certified copy or the original of the Power of Attorney with specimen signatures.

The minimum initial investment in Class A Units in the Trust is generally A\$25,000 and additional investment is generally A\$10,000. The Investment Manager may vary these minimum investment amounts from time to time and the Terms may specify other minimum investment amounts.

All investors will need to qualify as a wholesale client (as the Corporations Act defines this).

Any interest on applications monies received is credited to the Trust generally.

Application monies should be received by electronic funds transfer to:

<b>Bank</b>	Commonwealth Bank
<b>BSB</b>	062 000
<b>Account</b>	1940 4685
<b>Account Name</b>	AMAL Trustees Pty Ltd ATF OTG Capital Asset Backed Investment Trust -Applications Account

All EFT payments must be accompanied by a notification email to [info@otgcapital.com.au](mailto:info@otgcapital.com.au) in order to ensure that the investor account is properly credited. Cash and cheques are not accepted.

Applications are processed the next business day subject to completion of the “*Know Your Clients*”, “*Anti-Money laundering Legislation*” and “*Politically Exposed People*”, (KYC/AML/PEP) requirements. We must receive all your paperwork and cleared funds in order to process your application by that time.

Please send completed Application Forms to:

**OTG Capital Pty Limited**  
 Asset Backed Investment Trust  
 PO Box 149  
 Newport NSW 2016

Or via email to [info@otgcapital.com.au](mailto:info@otgcapital.com.au) or fill out our online application form via our website at [www.otgcapital.com.au](http://www.otgcapital.com.au) or <https://www.registrydirect.com.au/offer/OTG-Capital-Asset-Backed-Investment-Trust/>.

If sending applications by email, you accept full responsibility for any loss arising from the Investment Manager, OTG Capital Pty Limited (**OTG Capital** or the **Investment Manager**), AMAL Trustees Pty Limited (**Trustee**) and/or Trustee acting upon emailed/scanned instructions and you agree to release and indemnify each of the Investment Manager and/or Trustee in respect of any liabilities arising from us acting on emailed/scanned instructions, even where such instructions are not genuine.

## Examples of correct names and required signatures

Type of Investor	<input checked="" type="checkbox"/> Correct Name	• Incorrect Name	Signature Required
<b>Individual/ joint investors</b> <ul style="list-style-type: none"> <li>use full name of each applicant, do not use initials</li> </ul>	Alexander John Smith Laura Sue Barden	Alex Smith Laura S Barden	<ul style="list-style-type: none"> <li>signature of each applicant</li> </ul>
<b>Company</b> <ul style="list-style-type: none"> <li>use full company title, do not use abbreviations</li> </ul>	ABC Pty Ltd  XYZ Limited	ABC P/L, ABC Co,  XYZ Inc.	<ul style="list-style-type: none"> <li>by two directors, or</li> <li>by a director and a secretary, or</li> <li>if there is only one director by that sole director</li> </ul>
<b>Trusts/minors</b> <ul style="list-style-type: none"> <li>use trustee(s)/ individual(s) name(s)</li> <li>use trust/minor name as designation</li> </ul>	Paul Ryan Smith ATF <Smith Family Trust>  Paul Ryan Smith<Joel Smith>	Paul Smith Family Trust  Joel Smith	<ul style="list-style-type: none"> <li>signature of each trustee/ individual</li> <li>if trustee is a company see above</li> </ul>
<b>Superannuation fund</b> <ul style="list-style-type: none"> <li>use trustee(s) personal name(s)</li> <li>use fund name as designation</li> </ul>	Amy Rachel Wood ATF <Amy Wood Super Fund>  ABC Pty Ltd ATF <Smith Superannuation Fund>	A R Wood Super Fund  Smith Super Fund	<ul style="list-style-type: none"> <li>signature of each trustee</li> <li>if trustee is a company, see above</li> </ul>
<b>Deceased estates</b> <ul style="list-style-type: none"> <li>use executor(s) personal names, do not use name of the deceased</li> </ul>	John Smith <Est Jane Smith A/c>	Estate of the Late Jane Smith	<ul style="list-style-type: none"> <li>signature of the executor(s)</li> </ul>

## How do you qualify as a wholesale client?

If you are applying for A\$500,000 or more, you'll be automatically deemed wholesale client and no additional documentation is required.

If you are investing less than A\$500,000, the easiest way to establish that you are a wholesale client is to arrange for your accountant to provide an accountant's certificate certifying that:

- ① the Investor themselves has the **Required Net Assets** or the **Required Gross Income** OR
- ① together with any trusts or companies the Investor controls, the Investor has the Required Net Assets or the Required Gross Income OR
- ① the Investor is a trust or company controlled by a person who has the Required Net Assets or the Required Gross Income.

**Required Net Assets** means net assets of at least A\$2,500,000

**Required Gross Income** means for each of the last two financial years, at least A\$250,000 a year.

There are other ways that you can qualify as a wholesale client, including:

- ① based on your investing experience (the 'professional investor' exemption) – OTG Capital has an Adviser's Certificate that you can arrange to be completed to attest to this – contact OTG Capital for a



copy

- ① you hold an Australian financial services licence or
- ① provide a statutory declaration that you meet any of the other categories of wholesale client. These include that you:
  - are a person regulated by the Australian Prudential Regulation Authority (other than a trustee of a superannuation fund, an approved deposit fund, a pooled superannuation trust or a public sector superannuation scheme)
  - are a trustee of a superannuation fund, an approved deposit fund, a pooled superannuation trust or a public sector superannuation scheme within the meaning of the *Superannuation Industry (Supervision) Act 1993* (Cth) with net assets of at least A\$10 million
  - control at least A\$10 million for the purposes of investment in financial products (including any amount held by an associate or under a trust that the investing entity manages)
  - are a manufacturer and employ 100 or more people
  - the investing entity is not a manufacturer but employs 20 or more people or
  - are a listed entity, or a related body corporate of a listed entity.

Please contact OTG Capital if you need assistance in providing the appropriate documentation to certify that you are a wholesale client.

## Regular Information

Following acceptance of your application, you will be sent an application advice. You should check the details on the advice carefully and contact OTG Capital if you have any questions or if you need any amendments made to correct an error in your investment account.

## Additional Investment

The minimum amount for further investments is generally A\$10,000.

To invest more, use the **Additional Investment Form** available from OTG Capital.

Originals and emails are accepted for additional investments.

You need to pay for your additional investment by electronic funds transfer. All EFT payments must be accompanied by a notification email to [info@otgcapital.com.au](mailto:info@otgcapital.com.au) in order to ensure that the investor account is properly credited.

You will receive confirmation when your additional application is accepted. If sending applications by email, you accept full responsibility for any loss arising from the Investment Manager and/or Trustee acting upon emailed/scanned instructions and you agree to release and indemnify each of the Investment Manager and/or Trustee in respect of any liabilities arising from us acting on emailed/scanned instructions, even where such instructions are not genuine.

## If you have any questions

If you have any questions about any matter relating to Class A Units in the Trust, please telephone the Investment Manager, OTG Capital or the Trustee as appropriate. Refer to the **Corporate Directory** on page 3 of this Information Memorandum.

Neither AMAL nor the Investment Manager are able to provide you with any tax or professional advice in respect of FATCA, the IGA, the CRS or domestic tax legislation and we encourage you to seek the advice of a tax or professional advisor in relation to completing the tax sections of the application pack.

## About OTG Capital

OTG Capital is a boutique fund manager specialising in wholesale commercial lending, see [www.otgcapital.com.au](http://www.otgcapital.com.au). We work with established lenders in the field with extensive experience in the finance industry and specifically in the B2B lending arena.

As trustee of the Trust, the Trustee is ultimately responsible for the operation of the Trust in accordance with the Trust's constitution, the Corporations Act and trust law. The Trustee has appointed OTG Capital as investment manager of the Trust to invest the assets of the Trust in accordance with the trust deed of the Trust and in a manner consistent with the investment mandate outlined in the Information Memorandum and Terms.

## Benefits of Investing in Class A Units in the Trust

OTG Capital considers that an investment in Class A Units in the Trust provides a number of benefits:

### Competitive Return

The Trust invests directly, or indirectly through other investment vehicles, in short-term loans that vary between 3 to 24 months (but they are usually between 6-12 months). These loans are expected to provide returns to investors that are higher than bank mortgage rates, cash management trusts or other short-term fixed interest securities, bank bills or term deposits. The income return to investors is affected by the general level of interest rates in the economy, as the general level of interest rates in the economy impact the interest rate that wholesale lenders can charge their borrowers.

### Income Returns and Distribution

OTG Capital aims to provide monthly distributions which are generally paid into your nominated account within 14 working days after the end of the month or re-invested back into the Trust if you have selected the reinvestment option.

### Ability to Withdraw

While there is no automatic right to withdraw from the Trust (as the Trust is **not an "at call" facility, nor is it a liquid scheme**), investors can apply for withdrawal of part or all of their investment and OTG Capital will aim to return the funds generally within 45-60 business days depending on the Trust's liquidity at the time of the withdrawal request. We anticipate the Trust's investment timeframe of up to 2 years is usual, as an investor you are able to invest for as long or as short as you wish, there are no restrictions on your investment time.

### Experienced Management Team

OTG Capital draws upon over 22 years of investment and management experience in the business sector and the experience of the Trustee and their team. Ray Trevisan is the Managing Director of OTG Capital. He has extensive experience in business, management in both public and private sector organisations, holds a Masters Degree in public management from the University of Technology, Sydney, and is a Graduate of the Australian Institute of Company Directors. He is now a Responsible Manager and Licensee within his own Australian Financial Services Licensee business (Dirigere Advisory – AFSL-524371 – [www.dirigere.com.au](http://www.dirigere.com.au)).

Ray established OTG Capital to expand the reach of this investment vehicle. He is a Director of OTG Capital, the Investment Manager, and is responsible for the day-to-day investment management of the Trust as well as implementing the Trust's long and short-term plans in accordance with the approved investment strategy in conjunction with the Trustee.



## Terms – Class A Units

These terms (**Terms**) apply to the Class A Units. These terms are contained within this Information Memorandum. To the extent of any inconsistency, these Terms prevail.

Class of Units on offer	Class A Units – these units are denominated in AUD
Proposed Investments	<p>Units issued in a trust, the OTG Capital Asset Backed Investment Trust (<b>Trust</b>), which will in turn invest in mortgage backed assets. OTG Capital is the investment manager of the Trust.</p> <p>The Trust intends to invest in wholesale lending arrangements that adhere to OTG’s investment policies, which include investing in commercial loans secured by 1<sup>st</sup> and 2<sup>nd</sup> ranking mortgages. In the case of 2<sup>nd</sup> ranking mortgages, loans are only advanced once a caveat is registered over the security property, and then an arrangement for a 2<sup>nd</sup> ranking mortgage is put in place with the agreement of the 1<sup>st</sup> ranking mortgagee.</p> <p>This may include investing directly in commercial lending arrangements or indirectly through other investment vehicles offered by wholesale lenders such as:</p> <ol style="list-style-type: none"> <li>Balmain<sup>1</sup> – Balmain offers an opportunity to invest in its institutional managed fund (an unregistered managed investment scheme which in turn invests in mortgage related assets).</li> <li>Millbrook Group<sup>2</sup> - Millbrook offers an opportunity to invest in its contributory mortgage fund and a regular income fund (an unregistered managed investment scheme, which in turn invests in commercial loans secured by either 1<sup>st</sup> ranking mortgages limited to no more than 66.67% of a panel approved real estate valuation or 2<sup>nd</sup> ranking mortgages limited to no more than 75% of a panel approved real estate valuation over residential and/or commercial property).</li> <li>Pallas Capital<sup>3</sup> - Pallas offers the opportunity to invest in an unregistered managed investment schemes, which in turn invests in commercial loans secured by either 1<sup>st</sup> or 2<sup>nd</sup> ranking mortgages over residential and/or commercial property.</li> <li>ThinCats<sup>4</sup> – Thin Cats will offer the opportunity to invest in an unregistered managed investment scheme, which in turn will invest in commercial loans secured by either 1<sup>st</sup> of 2<sup>nd</sup> ranking mortgages over residential and/or commercial property.</li> </ol>

<sup>1</sup> [www.balmaininvestment.com.au](http://www.balmaininvestment.com.au)

<sup>2</sup> [www.millbrookgroup.com.au](http://www.millbrookgroup.com.au)

<sup>3</sup> [www.pallascapital.com.au](http://www.pallascapital.com.au)

<sup>4</sup> [www.thincats.com.au](http://www.thincats.com.au)

	<p>e. Private Mortgages Australia<sup>5</sup> – PMA offers a choice of either a managed fund (unregistered scheme) or individual contributory commercial loans. All loans either through their fund or contributory schemes are secured by either 1<sup>st</sup> of 2<sup>nd</sup> ranking mortgages over residential and/or commercial property.</p> <p>Loans may be quarantined to metropolitan Sydney, Melbourne, Canberra, Brisbane and Adelaide and may be made over residential, commercial, industrial or vacant land.</p> <p>Lower risk loans secured by 1<sup>st</sup> ranking mortgages generally offer less attractive interest rates and returns than higher risk loans secured by 2<sup>nd</sup> ranking mortgages.</p> <p>Your investment in the underlying mortgage related assets through the Trust will be pooled with other investor monies. You will have exposure to a portfolio of mortgage related assets with varying risk and return profiles (as selected by OTG Capital the investment manager of the Trust).</p> <p>The Trust will not lend directly to natural persons and, as such the Trustee will not be subject to the National Consumer Credit Protection Act 2009 (Cth) and National Credit Code.</p>
Investment Manager	The Trustee has appointed OTG Capital Pty Limited (ABN 64 605 573 948 CAR No. 001250963) as the Investment Manager
Trustee	AMAL Trustees Pty Limited ABN 98 609 737 064 (a related body corporate of the Trustee) is the trustee of the Trust.
Investment Exposure	<p>Monies invested in the Trust will be held in cash until such times as the mortgage related assets are available for investment. This could be for a period of up to 3 months, but usually no longer than 14-28 days (or such other time as OTG Capital advises).</p> <p>If the Investment Manager determines there are no suitable investments available within this time frame (or earlier), at the sole discretion of the Investment Manager, the Investment Committee may return all or part of the Monies to the Investor.</p> <p>Any interest payable will be only at the prevailing bank interest rates of the Trust Account where Monies are held in Trust on the Investor's behalf by the Trustee.</p> <p><b>Please note that any target returns do not commence until monies are invested in the mortgage related assets. So your investment monies could be earning no or less interest until such times as the Trust invests in the mortgage related assets. OTG Capital's track record indicates investments are usually placed within 1-3 days of receipt of investor funds.</b></p>
Return Objective	<p>To preserve capital and pay a regular monthly income.</p> <p>Each of the Trustee fees, Investment Manager fees and ordinary expenses are paid from the working capital of the Trust (as</p>

<sup>5</sup> <https://privatemortgagesaustralia.com.au/>

	<p>applicable) and are deducted prior to the Trust making its investments.</p> <p><b>Neither AMAL nor OTG Capital guarantee any target returns or repayment of capital.</b></p>
Investment Timeframe for the Trust	The Investment Committee seeks to limit loans to no greater than 2 years from the date the mortgage backed assets are acquired by the Trust, <i>this timeframe bears no relevance to the investor's own timeframe.</i>
Investor Timeframe	There is no minimum or maximum timeframe that Investors may place Monies with the Trust
Minimum Initial Investment	A\$25,000
Minimum Additional Investment	A\$10,000
Distribution Frequency	Any distributions will be paid monthly (generally within 14 days of the end of each month), unless the Trustee determines otherwise.
Reinvestment of Distributions	You may elect to have distributions re-invested into Class A Units.
Gearing	Nil
Unit Pricing Frequency	Upon initial issue of Units in the Class and then monthly thereafter
Fees, costs and expenses	<p><b>Trustee fee paid by OTG Capital:</b></p> <p>Annual fee: The greater of \$15,000 per annum + GST or 0.04% per annum + GST of the Trust's gross assets</p> <p><b>Expenses:</b></p> <ul style="list-style-type: none"> <li>▪ ordinary (or usual) expenses initially estimated at 0.75% per annum + GST of the Trust's gross assets, this includes regulatory expenses, IT support, investor relations etc.</li> <li>▪ abnormal expenses are estimated to be nil</li> </ul> <p>To the extent there is any shortfall from the working capital or any surplus in the Trust to pay for fees and expenses (other than any abnormal expenses), OTG Capital promises to pay the expenses of the Trust.</p> <p>The Trustee fee is subject to review every year. Should the trustee be adjusted, unit holders will be notified of any change in writing.</p> <p><b>Manager fee:</b> Between 2 to 3.95% per annum + GST of the Trust's gross assets. The exact amount of the Manager fee varies in accordance with whether the underlying loan investments are secured by 1<sup>st</sup> ranking or 2<sup>nd</sup> ranking mortgage.</p> <p>The Manager fee is deducted from interest payable on, or distributions from, the mortgage related assets and is generally paid on a monthly basis (or in accordance with the payment terms of the underlying commercial loan), the balance of any interest is then paid to the Trust.</p>
Risks	<p><b>Default by borrower</b></p> <p>This is the risk that a borrower may be unable to or fail to pay interest on a loan when due or fail to repay the loan at the time required under the mortgage. In addressing this risk, OTG Capital ensures that all new commercial loan investments satisfy OTG Capital's investment policies which include investing in commercial loans secured by 1<sup>st</sup> and 2<sup>nd</sup> ranking mortgages. In case of 2<sup>nd</sup></p>

ranking mortgages, loans are only advanced once a caveat is registered over the security property, and then an arrangement for a 2<sup>nd</sup> ranking mortgage is put in place with the agreement of the 1<sup>st</sup> ranking mortgagee.

#### Overstated valuation

This risk may arise where the sale of a property is insufficient to repay the loan in full. OTG Capital loan investment policies and procedures ensure that a valuation is always obtained before a new loan investment is made. OTG Capital adheres to conservative Loan to Value Ratios (LVR's) (which may vary across loan investments). The valuation is conducted by a panel of reputable valuers who are appointed and reviewed by the wholesale lender.

#### Litigation and documentation risk

Any lender faces this risk when it takes legal action to enforce the mortgage by the sale of the security property. Borrowers may defend the enforcement of proceedings successfully in whole or in part, which may impact the value of proceeds received from the sale and thus have a detrimental effect on the relevant syndicate. The Trust's wholesale lender will seek to mitigate this risk by working within a conservative LVR and ensuring it has industry standard legal documentation in place at all times.

Documentation risk is higher in the case of 2nd ranking mortgages. The registration of 2nd ranking mortgages can sometimes prove problematic as consent of the 1st ranking mortgagee may be withheld or laws in certain Australian states do not provide an automatic right of registration with the relevant land titles office. The Trust's wholesale lender seeks to minimise this risk by ensuring that adequate recovery options are available prior to settlement of every loan.

Security documentation is held by an external custodian until the loan is fully repaid. OTG Capital is also conscious of staying abreast of legal developments and is advised in relation to legal and regulatory developments.

#### Inadequate Insurance

This risk may arise where the property secured by the mortgage is damaged or destroyed and no, or inadequate, insurance is held. The Trust will only invest in commercial loans offered by wholesale lenders whose procedures include ensuring that all properties are adequately insured at all times during the term of the loan. Each wholesale lender is authorised under its AFSL to advise and deal in general insurance. As such, each wholesale lender has the discretion to insure properties on behalf of the Trust where this may become necessary as a risk-management measure to protect the Trust's underlying investment.

### Decline in Property Market

Property market risk is the risk that downward movements in the property market may impact properties securing the Trust's underlying debt investments. This in turn may impact on the wholesale lender's ability to fully recover the total amount outstanding on the loan, including principal, interest and costs of sale, from the sale of the property. Such a fall in value could mean that, in the event of a default, the proceeds of realization of the security may not be adequate to meet the repayment of the amount outstanding amounts due on the loan. The wholesale lender will seek to manage this risk by strictly complying with its lending and LVR guidelines, which are regulatory monitored and take into account current market conditions. This risk is also mitigated by the short duration of the loans the Trust invests in, with the majority of loans approved for terms no longer than 12 months.

## Contact Details

### OTG Capital Pty Limited

ABN 64 605 573 948

Level 2, 341 Barrenjoey Road

Newport NSW 2106

PO Box 149

Newport NSW 2106

T: 1300 OTG CAP (684 227)

F: (02) 8458 6198

E: [info@otgcapital.com.au](mailto:info@otgcapital.com.au)

W: [www.otgcapital.com.au](http://www.otgcapital.com.au)

## How to Invest



### Understand investment offering

Read Information Memorandum and this Application Pack in full



### Fill Out Application

Print and fill out application form ensuring completeness and accuracy



### Complete KYC (know your client) ID checks

As required by law, 100 points of identification



### Transfer Funds

Transfer your investment to our nominated bank account



### Receive confirmation

Receive details of your investment from OTG Capital

# Application Form – Class A Units in the Investments held in OTG Capital Asset Backed Investment Trust

This Application Form relates to the Information Memorandum dated 1 July 2021 (**Information Memorandum**) and Terms issued by OTG Capital Pty Limited ABN 64 605 573 948, CAR No. 001250963 on 18 July 2018 (1<sup>st</sup> ed), 1 January 2020 (2<sup>nd</sup> ed) and 1 July 2021 (*current*). Please read the Information Memorandum and Terms in full before completing this Application Form. Unless otherwise specified, terms defined in the Information Memorandum and Terms have the same meaning in this Application Form.

## PART A: INVESTOR & INVESTMENT DETAILS

Is this an application from a new investor or an existing investor?

☐ **NEW INVESTOR** – please provide the name of the holding (in a format that you want to appear on the register of unitholders). Refer to naming conventions at the beginning of the application pack.

New investor name:

*Please continue below to 1. Contact Details*

☐ **EXISTING INVESTOR** - If this is an application from an existing investor please provide your investor number

Investor number:

I / We am an existing investor and I / we have previously completed the Identification Documentation parts of this document sufficient for Anti-Money Laundering/Counter Terrorism Financing Legislation

☐ **Yes** - please continue to next question

☐ **No** - please complete this form in full including PART B: Investor Identification (sections 1 through 4 as applicable)

If you are an existing investor, have there been any significant changes in your circumstances or Identification Documents since your last application?

☐ **No** - please complete the *Additional Application Form* instead of this form

☐ **Yes** - please complete PART B: Investor Identification (sections 1 through 4 as applicable)

### 1. Contact Details

Full given name(s)

Surname

Company name / Trustee Name / Account Name

Telephone

Facsimile

Email

*Used for all correspondence.*

### Mailing Address

Street

Suburb

State

Postcode

Country



## 2. Investment Details

I/We would like to invest the following amount in Class A Units:

A\$

Please note the minimum initial investment amount is an aggregate amount of A\$25,000.

## 3. Payment Details

Electronic Funds Transfer (EFT) to:

Bank Commonwealth Bank  
BSB 062 000  
Account 1940 4685  
Account Name AMAL Trustees Pty Ltd ATF OTG Capital Asset Backed Investment Trust -Applications Account

All EFT payments must be accompanied by a notification email to [info@otgcapital.com.au](mailto:info@otgcapital.com.au) in order to ensure that the investor account is properly credited.

## 4. Taxation Details

Where the investment in the Trust is held jointly by 2 or more unitholders taxation details for each unitholder need to be provided. If there are more than 2 investors provide details on a separate sheet of paper and attach it to your Application Form.

### INVESTOR 1

Name:

If a tax resident of Australia, provide Tax File Number (TFN) or Australian Business Number (ABN):

Please indicate to whom this TFN or ABN belongs (Select ☒ one of the following options):

☐ Company

☐ Trust or Superannuation Fund

☐ Individual

☐ Other – please specify: \_\_\_\_\_

Exemption Number (if applicable):

Please note: You are not obliged to provide either your TFN or ABN but if you do not provide either your TFN or ABN and unless you claim a TFN exemption, the Trustee will be required to deduct tax at the highest marginal tax rate (plus Medicare levy). By inserting the ABN and signing this Application Form, you declare that this investment is made in the course or furtherance of your enterprise. Collection of TFN information is authorised and its use and disclosure are strictly regulated by the tax laws and the Privacy Act 1988 (Cth).

### INVESTOR 2

Name:

If a tax resident of Australia, provide Tax File Number (TFN) or Australian Business Number (ABN):

Please indicate to whom this TFN or ABN belongs (Select ☒ one of the following options):

☐ Company

☐ Trust or Superannuation Fund

☐ Individual

☐ Other – please specify: \_\_\_\_\_

Exemption Number (if applicable):

Please note: You are not obliged to provide either your TFN or ABN but if you do not provide either your TFN or ABN and unless you claim a TFN exemption, the Trustee will be required to deduct tax at the highest marginal tax rate (plus Medicare levy). By inserting the ABN and signing this Application Form, you declare that this investment is made in the course or furtherance of your enterprise. Collection of TFN information is authorised and its use and disclosure are strictly regulated by the tax laws and the Privacy Act 1988 (Cth).

## 1. Distributions and withdrawal proceeds

### Distributions

Please confirm how you would like to receive any distributions – either paid into an Australian bank account or automatically reinvested as additional units in the Trust.

☐ Reinvestment    ☐ Payment into bank account (please provide bank account details below)

If no election is made, any distributions will be paid to your Australian bank account.

### Your bank account details

Distributions and withdrawal proceeds are generally only paid to an Australian bank account in the name of the unitholder and cannot be paid by cheque or to third party accounts. By completing this section you confirm that any distributions and withdrawal proceeds sent by EFT to a designated bank account are sent at your risk insofar as the onus to provide bank account details rests solely on you.

Please pay distributions and withdrawal proceeds to the following bank account:

Bank

Branch Name

BSB

Account Number

Account Name

If you would like distributions and/or redemption proceeds to be paid into a bank account outside Australia please provide the following additional details (note that payment into such an account is entirely at the Trustee's discretion):

Beneficiary Bank  
Address

National Beneficiary  
Bank Clearing Code (if  
applicable)

Beneficiary Bank  
SWIFT Code

Intermediary Bank  
details (if applicable)

**NB: All payments will be remitted in Australian dollars. You, the beneficiary will bear all currency exchange risk and any costs by overseas or intermediary banks.**

## PART B: INVESTOR IDENTIFICATION AND ADDITIONAL TAXATION INFORMATION

If you are a new investor, please complete *PART A: Investor & Investment Details* section (being the first three pages) and *PART B: Investor Identification* section of the Application Form and send all documents to OTG Capital at the address below. If your investor type does not fall into any of the three investor categories in sections 1 - 3 of this form, please contact OTG Capital to enquire about what information and documentation is required for identification purposes under Anti-Money Laundering/Counter Terrorism Financing legislation.

Our verification procedure and requirements (including certified identification evidence) is included for your reference. If you are an existing investor whose details have changed you must also complete the Identification Documentation section and send all documents to OTG Capital at the address below.

Please send your completed Application Form and Identification Documents to:

OTG Capital  
Asset Backed Investment Trust  
PO Box 149  
Newport NSW 2106

### SECTION 1 - INVESTOR TYPE: AUSTRALIAN & FOREIGN COMPANY

Please note if you are an Australian Company acting as trustee of a fund, please also complete Section 2.

#### 1.1 General Information

**Full name**

as registered by ASIC or foreign  
registration body

**Registration number**

(select ☒ the following  
categories which apply to the  
company and provide the  
information requested)

☐ ACN

☐ ARBN

☐ Foreign body registration number (if the foreign company  
is NOT registered with ASIC)

Please also provide name of the foreign registration body below:

Country of formation /  
incorporation / registration

**Registered office address or local agent name and address** (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

Name of local agent in Australia  
(if applicable)

**Principal place of business** (if any) (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

**1.2 Regulatory/ Listing Details** (select ☒ the following categories which apply to the company and provide the information requested)

☐ **Regulated company** (subject to the supervision of a Commonwealth, State or Territory statutory regulator beyond that provided by ASIC as a company registration body. Examples include Australian Financial Services Licensees (AFSL); Australian Credit Licensees (ACL); or Registrable Superannuation Entity (RSE) Licensees)

Regulator name

Licence Number  
(e.g. AFSL, ACL, RSE)

☐ **Australian listed company or Foreign listed company** (companies that are listed on an Australian financial market such as the ASX)

Name of market /  
exchange

☐ **Majority-owned subsidiary of an Australian listed company** (companies that are majority owned by an Australian company that is listed on an Australian financial market such as the ASX)

Australian listed  
company name

Name of market  
or exchange

☐ **Foreign company**

Country of formation /  
incorporation /  
registration

**1.3 Company Type** (select ☒ only ONE of the following categories)

☐ **Australian Listed Public Company** . Go to Section 1.6, 1.7, 1.8 and then, continue to Section 4

☐ **Proprietary/Private or Non-Listed Public Company** . Continue below.

☐ **Foreign Company and Other** Continue below

**1.4 Directors** ( to be completed for proprietary, private, non-listed public company, foreign and other companies)

*This section does NOT need to be completed for public listed companies.*

How many directors are there?  provide full name of each director

Full given name(s)

Surname

1

2

3

4

☐ *If there are more directors, provide details on a separate sheet of paper and attached it to your Application Form.*

☐ *If the company is a regulated company (as selected in 1.2 above), continue to Section 1.6.*

**1.5 Beneficial Ownership** (to be completed for proprietary, private unlisted public, foreign or other companies **that are not regulated companies** as selected in Section 1.2)

Provide details of **ALL individuals** who ultimately own 25% or more of the company's issued share capital (through direct or indirect shareholdings).

**Shareholder Beneficial Owner 1**

Full given name(s)

Surname

Date of Birth (dd/mm/yyyy)

Residential address (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

**Shareholder Beneficial Owner 2**

Full given name(s)

Surname

Date of Birth (dd/mm/yyyy)

Residential address (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

**Shareholder Beneficial Owner 3**

Full given name(s)

Surname

Date of Birth (dd/mm/yyyy)

Residential address (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

☐ If there are more shareholders who ultimately own 25% or more of the company's issued share capital (through direct or indirect shareholdings), provide details on a separate sheet of paper and attached it to your Application Form.

If there are no individuals who ultimately own 25% or more of the company's issued share capital (through direct or indirect shareholdings), provide the names of the individuals who directly or indirectly control\* the company.

\* includes exercising control through the capacity to determine decisions about financial or operating policies; or by means of trusts, agreements, arrangements, understanding & practices; voting rights of 25% or more; or power of veto. If no such person can be identified then the most senior managing official/s of the company (such as the managing director or directors who are authorised to sign on the company's behalf).

**Individual 1**

Full given name(s)

Surname

Date of Birth (dd/mm/yyyy)

Role (such as Managing Director)

Residential address (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

**Individual 2**

Full given name(s)

Surname

Date of Birth (dd/mm/yyyy)

Role (such as Managing Director)

Residential address (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

If there are more Beneficial Owners, provide details on a separate sheet and tick this box ☐.

- ☐ If the company is a **Foreign company not registered with ASIC** please also attach certified copy of the certification of registration issued by the relevant foreign registration body.

## 1.6 Tax Status

Collection of tax status in accordance with United States Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS).

Tick ☒ one of the Tax Status boxes below (if the Company is a Financial Institution, please provide all the requested information below)

- ☐ **A Financial Institution** (A custodial or depository institution, an investment entity or a specified insurance Company for FATCA / CRS purposes)

Provide the Company's Global Intermediary Identification Number (GIIN), if applicable

If the Company is a Financial Institution but does not have a GIIN, provide its FATCA status (select ☒ ONE of the following statuses)

☐ Deemed Compliant Financial Institution

☐ Excepted Financial Institution

☐ Exempt Beneficial Owner

☐ Non Reporting IGA Financial Institution

☐ Non-participating Financial Institution

☐ US Financial Institution

☐ Other (describe the company's FATCA status in the box provided)

### PLEASE ANSWER THE QUESTION BELOW FOR ALL FINANCIAL INSTITUTIONS

Is the Financial Institution an Investment Entity located in a Non-Participating CRS Jurisdiction and managed by another Financial Institution?

Yes ☐ No ☐

If Yes, proceed to section 1.7 (Foreign Beneficial Owners). If No, please proceed to the section headed "IDENTIFICATION DOCUMENTS FOR AUSTRALIAN & FOREIGN COMPANIES" to complete the form.



CRS Participating Jurisdictions are on the OECD website at <http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/crs-by-jurisdiction>.

✖ **A Public Listed Company, Majority Owned Subsidiary of a Public Listed Company, Governmental Entity, International Organisation or Central Bank**

If the Company type is listed above, please proceed to the section headed "IDENTIFICATION DOCUMENTS FOR AUSTRALIAN & FOREIGN COMPANIES" to complete the form.

✖ **A Charity or an Active Non-Financial Entity (NFE)** (Active NFEs include entities where, during the previous reporting period, less than 50% of their gross income was passive income (e.g. dividends, interests and royalties) and less than 50% of assets held produced passive income. For other types of Active NFEs, refer to Section VIII in the Annexure of the OECD 'Standard for Automatic Exchange of Financial Account Information' at [www.oecd.org](http://www.oecd.org).)

If the Company is a charity or an Active NFE, please proceed to section 2.3 (Country of Tax Residency).

✖ **Other** (Entities that are not previously listed – Passive Non-Financial Entities)

Please proceed to section 1.7 (Foreign Beneficial Owners).

### 1.7 Foreign Beneficial Owners (Individuals)

Does the Company have any Beneficial Owners who are tax residents of countries other than Australia? Yes ☐  
No ☐

*Tax Residency rules differ by country. Whether an individual is tax resident of a particular country is often (but not always) based on the amount of time a person spends in a country, the location of a person's residence or place of work. For the US, tax residency can be as a result of citizenship or residency.*

If Yes, please provide the details of these individuals below and complete a separate Individual Identification Form for each Beneficial Owner (unless already provided in section 1.5).

Full given name(s)	Surname	Role (such as Director or Senior Managing Official)
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

If there are more Beneficial Owners, provide details on a separate sheet and tick this box ☐

Proceed to section 1.8

### 1.8 Country of Tax Residency

Is the Company a tax resident of a country other than Australia? Yes ☐ No ☐

If Yes, please provide the Company's country of tax residence and tax identification number (TIN) or equivalent below. If the Company is a tax resident of more than one other country, please list all relevant countries below.

If No, please proceed to the section headed "IDENTIFICATION DOCUMENTS FOR AUSTRALIAN & FOREIGN COMPANIES" to complete the form.

*A TIN is the number assigned by each country for the purposes of administering tax laws. This is the equivalent of a Tax File Number in Australia or an Employer Identification Number in the US. If a TIN is not provided, please list one of the three reasons specified (A, B or C) for not providing a TIN.*

1.	Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>
2.	Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>
3.	Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>

If there are more countries, provide details on a separate sheet and tick this box. ☐

**Reason A** The country of tax residency does not issue TINs to tax residents

**Reason B** The Company has not been issued with a TIN

**Reason C** The country of tax residency does not require the TIN to be disclosed

## IDENTIFICATION DOCUMENTS FOR AUSTRALIAN & FOREIGN COMPANIES:

Identification documentation is to be provided to verify the information listed in the standard or simplified verification procedure described below. The simplified verification procedure is to be used for Australian Public Listed companies, Majority Owned Subsidiaries of Australian Public Listed companies and Regulated companies as described in section 1.4 of this form. All other companies are to be verified according to the standard verification procedure.

### Standard verification procedure for Australian companies and foreign companies registered with ASIC

Information to be verified:

- ☐ The full name of the company as registered by ASIC
- ☐ Whether the company is registered as a proprietary or a public company
- ☐ The ACN issued to the company.

Tick <input type="checkbox"/>	Verification options for Australian companies and foreign companies registered with ASIC (select one of the following options used to verify the Company)
<input type="checkbox"/>	Perform a search of the relevant ASIC database.
<input type="checkbox"/>	If the ASIC database is not reasonably available, an original or certified copy of the certification of registration issued by ASIC.

### Standard verification procedure for Foreign Companies NOT registered with ASIC

Information to be verified:

- ☐ The full name of the company
- ☐ Whether it is registered by a foreign registration body and if so whether it is registered as a private or public company
- ☐ the identification number issued to the company

Tick <input type="checkbox"/>	Verification options for Foreign Companies NOT registered with ASIC (select one of the following options used to verify the Company)
<input type="checkbox"/>	Perform a search of the relevant foreign registration body.
<input type="checkbox"/>	If the foreign registration body database is not reasonably available, an original or certified copy of the certification of registration issued by the relevant foreign registration body. *
<input type="checkbox"/>	Where the above means are unavailable, a disclosure certificate from the company given by an individual acting as agent of the company (where the agent has been verified). See your licensee for other disclosure certificate requirements. *

\* Documents that are written in a language that is not English must be accompanied by an English translation prepared by an accredited translator.

### Simplified verification procedure for an Australian Public Listed company, a Majority Owned Subsidiary of an Australian Public Listed company or a Regulated company (as described in section 1.2 of this form)

Information to be verified:

- ☐ The full name of the company
- ☐ That the company is an Australian Public Listed company, a Majority Owned Subsidiary of an Australian Public Listed company or a Regulated company (whichever is applicable).

Tick <input type="checkbox"/>	Verification options Australian Public Listed company, a Majority Owned Subsidiary of an Australian Public Listed company or a Regulated company (select one or more of the following options used to verify the Company)
<input type="checkbox"/>	Perform a search of the relevant market/exchange.
<input type="checkbox"/>	Perform a search of the relevant ASIC database.
<input type="checkbox"/>	Perform a search of the licence or other records of the relevant Commonwealth, State or Territory statutory regulator.
<input type="checkbox"/>	A public document issued by the relevant company.

**IMPORTANT NOTE:**

- **Ensure that individual customer ID Forms have been provided for the Company's Beneficial Owners as per 1.5 AND**
- **Attach a legible certified copy of the ID documentation used to verify the company OR**
- **Alternatively, if agreed between your licensee and the product issuer, complete the Record of Verification Procedure section below and DO NOT attach copies of the ID Documents**

ID DOCUMENT DETAILS	Document 1	Document 2 (if required)
Verified From	• Performed search • Original • Certified copy	• Performed search • Original • Certified copy
Document Issuer / Website		
Public Document Type		
Issue date / Search date		

By completing and signing this Record of Verification Procedure I declare that:

- an identity verification procedure has been completed in accordance with the AML/CTF Rules, in the capacity of an AFSL holder or their authorised representative; and
- individual customer ID Forms have been provided for the company's Beneficial Owners (where applicable).

AFS Licensee Name

AFSL No.

Representative/ Employee Name

Phone No.

Signature

Date Verification Completed

**SECTION 2 - INVESTOR TYPE: ALL TRUSTS (INCLUDING SUPERANNUATION FUNDS)****2.1 General Information**

Full name of trust

Full name of the Trustee/(s) of the trust

Country where trust established

**2.2 Type of Trust** (select ☒ only one of the following trust types and provide the information requested)☐ **Registered managed investment scheme**

Provide Australian Registered Scheme Number (ARSN)

☐ **Regulated trust (e.g. a Self-Managed Superfund)**

Provide name of the regulator (e.g. ASIC, APRA, ATO)

Provide the trust's ABN or registration / licensing details

☐ **Government superannuation fund**

Provide name of the legislation establishing the fund

☐ **Other trust type**

Trust description (e.g. unregistered, fixed, family, unit)

Provide the trust's ABN or registration

Full name of settlor(s) *(Provide name of settlor of the trust where the initial asset contribution to the trust was greater than \$10,000 (unless settlor is now deceased). Individual identification verification will also be required.)*

For **other trust type** please also provide the following documentation:

☐ *Certified copy<sup>6</sup> or certified extract of the trust deed; or*

☐ *Notice of assessment or certified copy<sup>1</sup> of assessment issued by the ATO in the last 12 months.*

## 2.3 Trustee Details

How many trustees are there?

**Trustee 1**

Full given name(s) or Company name

Surname

**Trustee 2**

Full given name(s) or Company name

Surname

☐ *If there are more trustees, provide details on a separate sheet of paper and attached it to your Application Form.*

**For all trust types please complete the following additional sections:**

- ☐ If you are completing this form as an **Individual Trustee** please complete 'Section 3 - Investor Type: Individual' for at least ONE of the trustees in addition to completing applicable sections 2.3 and 2.4.
- ☐ If you are completing this form as a **Corporate Trustee** please complete 'Section 1 - Investor Type: Company' in addition to completing applicable sections 2.3 and 2.4.
- ☐ If you are completing this form both as **Individual** and **Corporate Trustee** please complete 'Section 3 -Investor Type: Individual' and 'Section 1 - Investor Type: Company' in addition to completing applicable sections 2.3 and 2.4.

## 2.4 Beneficiary Details *(only complete if "Other trust type" is selected in section 2.2 above)*

**Do NOT complete if the trust is a registered managed investment scheme, regulated trust (e.g. SMSF) or government superannuation fund.**

Do the terms of the trust identify the beneficiaries by reference to membership of a class?

☐ **Yes** Provide details of the membership class/es

<sup>6</sup> For the definition of certified copy and list of people that can certify documents refer to Section 5 of this Application Form.

(e.g. unit holders, family members of named person, charitable purpose)

☐ **No** How many beneficiaries are there?

provide full name of each beneficiary below:

	Full given name(s)	Surname
1	<input type="text"/>	<input type="text"/>
2	<input type="text"/>	<input type="text"/>
3	<input type="text"/>	<input type="text"/>

*If there are more beneficiaries, provide details on a separate sheet of paper and attached it to your Application Form.*

## 2.4 Beneficial Ownership Details *(only complete if "Other trust type" is selected in section 2.2 above)*

**Do NOT complete if the trust is a registered managed investment scheme, regulated trust (SMSF) or government superannuation fund.**

Please provide the names and details of any beneficial owner of the trust. A beneficial owner of a trust is any individual who has a 25% or more interest in the trust or who directly or indirectly controls\* the trust.

*\* includes control by acting as trustee; or by means of trusts, agreements, arrangements, understandings and practices; or exercising control through the capacity to direct the trustees; or the ability to appoint or remove the trustees.*

### Beneficial Owner 1

Full given name(s)	Surname	Date of Birth (dd/mm/yyyy)
<input type="text"/>	<input type="text"/>	<input type="text"/>

### Residential address *(PO Box is NOT acceptable)*

Street	<input type="text"/>						
Suburb	<input type="text"/>	State	<input type="text"/>	Postcode	<input type="text"/>	Country	<input type="text"/>
Role (such as trustee or appointor)	<input type="text"/>						

### Beneficial Owner 2

Full given name(s)	Surname	Date of Birth (dd/mm/yyyy)
<input type="text"/>	<input type="text"/>	<input type="text"/>

### Residential address *(PO Box is NOT acceptable)*

Street	<input type="text"/>						
Suburb	<input type="text"/>	State	<input type="text"/>	Postcode	<input type="text"/>	Country	<input type="text"/>
Role (such as trustee or appointor)	<input type="text"/>						

☐ *If there are more beneficial owners, provide details on a separate sheet of paper and attach it to your application form.*

## 2.6 Tax status

Collection of tax status in accordance with the United States Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS).

**Regulated super funds (Self-Managed Superannuation Funds, APRA regulated super funds, government super funds or pooled superannuation trusts) are not required to complete section 1.6 and can proceed to the section headed "IDENTIFICATION DOCUMENTS FOR TRUSTS" to complete this form.**

Tick ☒ one of the Tax Status boxes below (if the Trust is a Financial Institution, please provide all the requested information below)

☐ **A Financial Institution** (A custodial or depository institution, an investment entity or a specified insurance Company for FATCA / CRS purposes)

Provide the Trust's Global Intermediary Identification Number (GIIN), if applicable

If the Trust is a Financial Institution but does not have a GIIN, provide its FATCA status (select ☐ ONE of the following statuses)

• Deemed Compliant Financial Institution

• Excepted Financial Institution

• Exempt Beneficial Owner

• Non Reporting IGA Financial Institution

(If the Trust is a Trustee-Documented Trust, provide the Trustee's GIIN)

• Non-participating Financial Institution

• Other (describe the Trust's FATCA status in the box provided)

### PLEASE ANSWER THE QUESTION BELOW FOR ALL FINANCIAL INSTITUTIONS

Is the Financial Institution an Investment Entity located in a Non-Participating CRS Jurisdiction and managed by another Financial Institution?

Yes \*

No \*

If Yes, proceed to section 2.7 (Foreign Controlling Persons). If No, Please go to the section headed "IDENTIFICATION DOCUMENTS FOR TRUSTS" to complete this form.

.I CRS Participating Jurisdictions are on the OECD website at <http://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/crs-by-jurisdiction>.

• **Australian Registered Charity or Deceased Estate**

If the Trust is an Australian Registered Charity or Deceased Estate, please proceed to section 4 to complete the form.

• **A Foreign Charity or an Active Non-Financial Entity (NFE)** (Active NFEs include entities where, during the previous reporting period, less than 50% of their gross income was passive income (e.g. dividends, interests and royalties) and less than 50% of assets held produced passive income. For other types of Active NFEs, refer to Section VIII in the Annexure of the OECD 'Standard for Automatic Exchange of Financial Account Information' at [www.oecd.org](http://www.oecd.org).)

If the Trust is a Foreign (non-Australian) Charity or an Active NFE, please proceed to section 2.8 (Country of Tax Residency).

• **Other** (Trusts that are not previously listed – Passive Non-Financial Entities))

Please proceed to section 2.7 (Foreign Controlling Persons).

## 2.7 Foreign Controlling Persons (Individuals)

Are any of the Trust's Controlling Persons tax residents of countries other than Australia

Yes \*

No \*



If the Trustee is a company, are any of this company's Controlling Persons tax residents of countries other than Australia Yes \* No \*

\* A Controlling Person is any individual who directly or indirectly exercises control over the Trust. For a Trust, this includes all Trustees, Settlers, Protectors or Beneficiaries. For a Trustee company this includes any beneficial owners controlling more than 25% of the shares in the company or Senior Managing Officials.

Tax Residency rules differ by country. Whether an individual is tax resident of a particular country is often (but not always) based on the amount of time a person spends in a country, the location of a person's residence or place of work. For the US, tax residency can be as a result of citizenship or residency.

If Yes to either of the two questions above, please provide the details of these individuals below and complete a separate Individual Identification Form for each Controlling Person (unless already provided as a Beneficial Owner).

Full given name(s)	Surname	Role (such as Trustee or Beneficiary, etc. refer * below)
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

If there are more controlling persons, provide details on a separate sheet and tick this box. \*

Proceed to section 2.8.

## 2.8 Country of Tax Residency

Is the Trust a tax resident of a country other than Australia? Yes \* No \*

If Yes, please provide the Trust's country of tax residence and tax identification number (TIN) or equivalent below. If the Trust is a tax resident of more than one other country, please list all relevant countries below.

If No, please proceed to the section headed "IDENTIFICATION DOCUMENTS FOR TRUSTS" to complete the form.

A TIN is the number assigned by each country for the purposes of administering tax laws. This is the equivalent of a Tax File Number in Australia or a Employee Identification Number in the US. If a TIN is not provided, please list one of the three reasons specified (A, B or C) for not providing a TIN.

1.	Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>
2.	Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>
3.	Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>

If there are more countries, provide details on a separate sheet and tick this box \*

**Reason A** The country of tax residency does not issue TINs to tax residents

**Reason B** The Trust has not been issued with a TIN

**Reason C** The country of tax residency does not require the TIN to be disclosed

## IDENTIFICATION DOCUMENTS FOR TRUSTS:

**Regulated Trust Verification procedure:**

Information to be verified:

- o Full name of the Trust
- o That the Trust is a Self-Managed super fund; registered managed investment scheme, unregistered managed investment scheme, government superannuation fund or other regulated Trust, as applicable

Tick ✓	Verification options (select one of the following options used to verify the Trust)
	Perform a search of the ASIC, ATO or relevant regulator's website (e.g. "Super Fund Lookup" at <a href="http://www.abn.business.gov.au">www.abn.business.gov.au</a> ).
	A copy of an offer document of the managed investments scheme (e.g. a copy of a Product Disclosure Statement)
	A copy or relevant extract of the legislation establishing the government superannuation fund sourced from a government website

**IMPORTANT NOTE:**

- *Attach a legible certified copy of the ID documentation used to verify the Trust OR*  
→ *Alternatively, if agreed between your licensee and the product issuer, complete the Record of Verification Procedure section below and DO NOT attach copies of the ID Documents*

ID DOCUMENT	Document 1	Document 2
Verified From	• Performed search • Original • Certified copy	• Performed search • Original • Certified copy
Document Issuer / Website		
Document Type / Search details		
Issue date / Search date		

By completing and signing this Record of Verification Procedure I declare that an identity verification procedure has been completed in accordance with the AML/CTF Rules, in the capacity of an AFSL holder or their authorised representative.

AFS Licensee Name	<input type="text"/>	AFSL No.	<input type="text"/>
Representative/ Employee Name	<input type="text"/>	Phone No.	<input type="text"/>
Signature	<input type="text"/>	Date Verification Completed	<input type="text"/>

**Unregulated trust verification procedure**

Information to be verified: Full name of the Trust and Settlor/s name

Tick ✓	Verification options (select one or more of the following options used to verify the Trust)
	An original or certified copy of the Trust Deed <b>or if not reasonably available</b> an original or certified extract of the Trust Deed *. Extracts of Trust Deeds must include the name of the Trust, Trustees, Beneficiaries, Settlor/s and Appointers (where applicable).

\* Documents that are written in a language that is not English must be accompanied by an English translation prepared by an accredited translator.

**IMPORTANT NOTE:**

- *Ensure that a customer ID Form has been provided for ONE of the Trustees*  
→ *Ensure that individual customer ID Forms have been provided for the Trust's Beneficial Owners AND*  
→ *Either attach a legible certified copy of the documentation used to verify the Trust (and any required translation) OR*  
→ *Alternatively, if agreed between your licensee and the product issuer, complete the Record of Verification Procedure section below, and DO NOT attach copies of the ID Documents*

ID DOCUMENT DETAILS	Document 1	Document 2 (if required)
Verified From	• Original • Certified Copy	• Original • Certified Copy
Document Issuer		
Issue Date		
Expiry Date		
Document Number		
Accredited English Translation	• N/A • Sighted	• N/A • Sighted

By completing and signing this Record of Verification Procedure I declare that:

- an identity verification procedure has been completed in accordance with the AML/CTF Rules, in the capacity of an AFSL holder or their authorised representative;
- Customer ID Forms have been provided for one of the Trust's Trustees; and
- Individual Customer ID Forms have been provided for all of the Trust's Beneficial Owners.

AFS Licensee Name

AFSL No.

Representative/ Employee Name

Phone No.

Signature

Date Verification Completed

### SECTION 3 - INVESTOR TYPE: INDIVIDUAL

#### INVESTOR 1

*Investor's name must match investor's ID exactly.*

Full given name(s)

Surname

Date of Birth (dd/mm/yyyy)

Residential address (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

#### Tax status

*Tax Residency rules differ by country. Whether an individual is tax resident of a particular country is often (but not always) based on the amount of time a person spends in a country, the location of a person's residence or place of work. For the US, tax residency can be as a result of citizenship or residency.*

Please answer **both** tax residency questions:

Is the individual a tax resident of Australia? Yes ☐ No ☐

Yes ☐ No ☐

Is the individual a tax resident of another Country? Yes ☐ No ☐

☐ A TIN is the number assigned by each country for the purposes of administering tax laws. This is the equivalent of a Tax File Number in Australia or a Social Security Number in the US. If a TIN is not provided, please list one of the three reasons specified (A, B or C) for not providing a TIN.

**If the individual is a tax resident of a country other than Australia, please provide their tax identification number (TIN) or equivalent below. If they are a tax resident of more than one other country, please list all relevant countries below.**

1 Country

TIN

If no TIN, list reason A, B or C

2 Country  TIN  If no TIN, list reason A, B or C

3 Country  TIN  If no TIN, list reason A, B or C

If there are more countries, provide details on a separate sheet and tick this box. ☐

**Reason A** The country of tax residency does not issue TINs to tax residents

**Reason B** The individual has not been issued with a TIN

**Reason C** The country of tax residency does not require the TIN to be disclosed

Please note: You are not obliged to provide either your TFN or ABN but if you do not provide either your TFN or ABN and unless you claim a TFN exemption, the Trustee will be required to deduct tax at the highest marginal tax rate (plus Medicare levy). By inserting the ABN and signing this Application Form, you declare that this investment is made in the course or furtherance of your enterprise. Collection of TFN information is authorised and its use and disclosure are strictly regulated by the tax laws and the Privacy Act 1988 (Cth).

#### COMPLETE THIS PART IF INDIVIDUAL IS A SOLE TRADER

Full business name (if any)

ABN (if any)

Principal Place of Business (if any) (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

#### INVESTOR 2

Investor's name must match investor's ID exactly.

Full given name(s)

Surname

Date of Birth (dd/mm/yyyy)

Residential address (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

#### COMPLETE THIS PART IF INDIVIDUAL IS A SOLE TRADER

Full business name (if any)

ABN (if any)

Principal Place of Business (if any) (PO Box is NOT acceptable)

Street

Suburb

State

Postcode

Country

#### Tax status

Tax Residency rules differ by country. Whether an individual is tax resident of a particular country is often (but not always) based on the amount of time a person spends in a country, the location of a person's residence or place of work. For the US, tax residency can be as a result of citizenship or residency.

Please answer **both** tax residency questions:

Is the individual a tax resident of Australia? Yes No

Is the individual a tax resident of another Country? Yes No

A TIN is the number assigned by each country for the purposes of administering tax laws. This is the equivalent of a Tax File Number in Australia or a Social Security Number in the US. If a TIN is not provided, please list one of the three reasons specified (A, B or C) for not providing a TIN.

If the individual is a tax resident of a country other than Australia, please provide their tax identification number (TIN) or equivalent below. If they are a tax resident of more than one other country, please list all relevant countries below.

1	Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>
2	Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>
3	Country	<input type="text"/>	TIN	<input type="text"/>	If no TIN, list reason A, B or C	<input type="text"/>

If there are more countries, provide details on a separate sheet and tick this box. \*

**Reason A** The country of tax residency does not issue TINs to tax residents

**Reason B** The individual has not been issued with a TIN

**Reason C** The country of tax residency does not require the TIN to be disclosed

Please note: You are not obliged to provide either your TFN or ABN but if you do not provide either your TFN or ABN and unless you claim a TFN exemption, the Trustee will be required to deduct tax at the highest marginal tax rate (plus Medicare levy). By inserting the ABN and signing this Application Form, you declare that this investment is made in the course or furtherance of your enterprise. Collection of TFN information is authorised and its use and disclosure are strictly regulated by the tax laws and the Privacy Act 1988 (Cth).

## IDENTIFICATION DOCUMENTS FOR INDIVIDUAL INVESTOR(S):

For all Individual investors please provide the following information in addition to completing this section:

- Certified copy <sup>7</sup> of a Primary Photographic Identification Document (see below for definition); or
- Certified copy <sup>1</sup> of a Primary Non-Photographic Identification Document AND a Secondary Identification Document (see below for definitions).

### PART I – ACCEPTABLE PRIMARY PHOTOGRAPHIC ID DOCUMENTS

Tick ✓	Select ONE valid option from this section only
<input type="checkbox"/>	Australian State / Territory driver's licence containing a photograph of the person
<input type="checkbox"/>	Australian passport (a passport that has expired within the preceding 2 years is acceptable)
<input type="checkbox"/>	Card issued under a State or Territory for the purpose of proving a person's age containing a photograph of the person
<input type="checkbox"/>	Foreign passport or similar travel document containing a photograph and the signature of the person*

### PART II – ACCEPTABLE SECONDARY ID DOCUMENTS – should only be completed if the individual does not own a document from Part I

Tick ✓	Select ONE valid option from this section
<input type="checkbox"/>	Australian birth certificate
<input type="checkbox"/>	Australian citizenship certificate
<input type="checkbox"/>	Pension card issued by Department of Human Services (previously known as Centrelink)

<sup>7</sup> For the definition of certified copy and list of people that can certify documents refer to Section 5 of this Application Form.

Tick ✓	AND ONE valid option from this section
	A document issued by the Commonwealth or a State or Territory within the preceding 12 months that records the provision of financial benefits to the individual and which contains the individual's name and residential address
	A document issued by the Australian Taxation Office within the preceding 12 months that records a debt payable by the individual to the Commonwealth (or by the Commonwealth to the individual), which contains the individual's name and residential address. <i>Block out the TFN before scanning, copying or storing this document.</i>
	A document issued by a local government body or utilities provider within the preceding 3 months which records the provision of services to that address or to that person (the document must contain the individual's name and residential address)
	If under the age of 18, a notice that: was issued to the individual by a school principal within the preceding 3 months; and contains the name and residential address; and records the period of time that the individual attended that school

**PART III – ACCEPTABLE FOREIGN PHOTOGRAPHIC ID DOCUMENTS** – *should only be completed if the individual does not own a document from Part I*

Tick ✓	Select ONE valid option from this section only
	Foreign driver's licence that contains a photograph of the person in whose name it issued and the individual's date of birth*
	National ID card issued by a foreign government containing a photograph and a signature of the person in whose name the card was issued*

\* Documents that are written in a language that is not English must be accompanied by an English translation prepared by an accredited translator.

**IMPORTANT NOTE:**

- **Either attach a legible certified copy of the ID documentation used to verify the individual (and any required translation) OR**  
→ **Alternatively, if agreed between your licensee and the product issuer, complete the Record of Verification Procedure section below and DO NOT attach copies of the ID Documents**

ID DOCUMENT DETAILS	Document 1	Document 2 (if required)
Verified From	* Original * Certified Copy	* Original * Certified Copy
Document Issuer		
Issue Date		
Expiry Date		
Document Number		
Accredited English Translation	* N/A * Sighted	* N/A * Sighted

By completing and signing this Record of Verification Procedure I declare that an identity verification procedure has been completed in accordance with the AML/CTF Rules, in the capacity of an AFSL holder or their authorised representative, and

AFS Licensee Name

AFSL No.

Representative/ Employee Name

Phone No.

Signature

Date  
Verification  
Completed



## SECTION 4: CERTIFIED COPY OF AN ORIGINAL DOCUMENT

**Certified copy** means a document that has been certified as a true copy of an original document.

**Certified extract** means an extract that has been certified as a true copy of some of the information contained in a complete original document by one of the persons described in the sub-paragraphs below.

People who can certify documents or extracts are:

- a **lawyer** - a person who is enrolled on the roll of the Supreme Court of a State or Territory, or High Court of Australia, as a legal practitioner (however described);
- a **judge** of a court;
- a **magistrate**;
- a **chief executive officer** of a Commonwealth court;
- a **registrar** or **deputy registrar** of a court;
- a **Justice of Peace**;
- a **notary public** (for the purposes of the Statutory Declaration Regulations 1993);
- a **police officer**;
- a **postal agent** - an agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public;
- the **post office** - a **permanent employee** of The Australian Postal Corporation with 2 or more years of continuous service who is employed in an office supplying postal services to the public;
- an **Australian consular officer** or an **Australian diplomatic officer** (within the meaning of the Consular Fees Act 1955);
- an **officer** with 2 or more continuous years of service with one or more **financial institutions** (for the purposes of the Statutory Declaration Regulations 1993);
- a **finance company officer** with 2 or more continuous years of service with one or more financial companies (for the purposes of the Statutory Declaration Regulations 1993);
- an **officer** with, or **authorised representative** of, a **holder of an Australian financial services licence**, having 2 or more continuous years of service with one or more licensees; and
- an **accountant** - a member of the institute of Chartered Accountants in Australia, CPA Australia or the National Institute of Accountants with 2 or more years of continuous membership.

The eligible certifier must include the following information:

- Their full name
- Address
- Telephone number
- The date of certifying
- Capacity in which they are eligible to certify, and
- An official stamp/seal if applicable

The certified copy must include the statement, *"I certify this is a true copy of the original document"*.

For photographic documents, the certified copy must include the statement, *"I certify this is a true copy of the original document and the photograph is a true likeness"*.

**Documents that are written in a language that is not English** must be accompanied by an English translation prepared by an accredited translator.

## PART C: DECLARATION AND SIGNATURE

I/We acknowledge declare and agree that by signing this Application Form:

- I/We have received and read the Information Memorandum and Terms to which this Application Form applies and have received and accepted the offer to invest in Australia or otherwise in a jurisdiction in which it is lawful for me/us to receive and accept the offer to invest.
- I/We am/are at least 18 years of age.
- I/We declare that I/we am/are a wholesale client as defined in sections 761G and 761GA of the Corporations Act 2001 (Cth).
- If I/we have received the Information Memorandum and Terms from the internet or other electronic means that I/we received it personally or a print out of it, accompanied by this Application Form.
- All details provided by me/us in this Application Form are true and correct.
- I/We agree to be bound by the terms and conditions of the current Information Memorandum, Terms and of the Trust Deed of the Trust, as amended, reissued or replaced from time to time.
- That OTG Capital and AMAL are authorised to apply the TFN or ABN provided above to all future applications for units, including reinvestments, unless I/we notify OTG Capital otherwise.

- None of the Trustee, the Investment Manager or any other person guarantees the repayment of capital invested in the Trust, the performance of nor any particular return from the Trust (unless otherwise specified in the Supplemental Terms) and I/we understand the risks involved in investing in the Trust.
- I/We acknowledge that the Trust is not currently registered with the Australian Securities and Investments Commission, but may be at some future point in time. By investing in the Trust, I/we consent to the Trust being registered at some future point should OTG Capital and the Trustee consider it appropriate. I/We also consent to registration taking place without the Trustee holding a meeting of investors to approve the application for registration.
- I/We acknowledge that units may be redeemed or monies deducted from my/our withdrawal proceeds without me/us asking in order to pay any fees owing to OTG Capital, AMAL or any other person and authorise the Trustee to redeem such number of units or deduct such monies as is necessary to meet any fees I/we owe OTG Capital, AMAL or any other person. I/We acknowledge this may have tax consequences for my/our investment in the Trust.
- I/We acknowledge that OTG Capital and AMAL may be required to pass on information about me/us or my/our investment to the relevant regulatory authority in compliance with the AML laws (**AML Act**) and various tax legislation. I/We will provide such information and assistance that may be requested by OTG Capital and AMAL to comply with its obligations under the AML Act and various tax legislation and I/we indemnify them against any loss caused by my/our failure to provide such information or assistance.
- The monies used to fund my/our investment in the Trust are not derived from or related to any money laundering, terrorism financing or other illegal activities, whether prohibited under Australian law, international law or convention ('illegal activity') and the proceeds of my/our investment in the Trust will not be used to finance any illegal activities.
- I/We am/are not a 'politically exposed' person or organisation for the purpose of any AML law.
- I/We consent to details about my/our application and holdings being disclosed in accordance with the **Privacy** section of the Information Memorandum.
- I/We confirm that the Trustee and OTG Capital are authorised to accept and act upon any instructions in respect of this application and the units to which it relates given by me/us by email. If instructions are given by email, the onus is on me/us to ensure that such instructions are received in legible form and I/we undertake to confirm them in writing. I/We indemnify the Trustee and OTG Capital against any loss arising as a result of any of them acting on email /scanned instructions. The Trustee and OTG Capital may rely conclusively upon and shall incur no liability in respect of any action taken upon any notice, consent, request, instruction or other instrument believed, in good faith, to be genuine or to be signed by properly authorised persons.
- I/We acknowledge that OTG Capital and the Trustee reserves the right to reject any application.
- I/We understand that the Trust may invest in cash for relatively short periods (up to 3 months, or such other time OTG Capital advises me/us) until monies can be invested in the mortgage related assets.

**Account operating instructions** (if no selection is made, all individuals to sign will be assumed)

- ☐ Any individual to sign
- ☐ Any two individuals to sign
- ☐ All individuals to sign
- ☐ Other (please specify): \_\_\_\_\_

	Signature	Name and title (block letters please)	Date
1			
2			
3			
4			