

Aviva Investors UK Property Fund



Form of Declaration and Undertakings

Important notes for completing this Form of Declaration and Undertakings

This form is for corporate investors who wish to invest in the Aviva Investors UK Property Fund (the “Aviva PAIF”). This form must be completed and returned before investment into shares of the Aviva PAIF.

Please read the notes below carefully before completing this form.

Please complete this form in black ink using CAPITAL LETTERS, sign and return it to: Aviva Investors UK Fund Services Limited, PO Box 10410, Chelmsford, CM99 2AY.

Sections of the Form to complete:

Section 1 and 2 — To be completed by ALL corporate investors

Section 3 — To be completed only by corporate investors who are eligible to receive gross distributions

Section 5 — To be completed by ALL corporate investors

1. Corporate details

Name of organisation	
Address	
	Postcode
Daytime telephone number	
Email address	
Name(s) of authorised signatory(ies)	
Position(s) of authorised signatory(ies)	

2. Corporate and Nominee Declarations and Undertakings

To be completed by all corporate investors who wish to invest in the Aviva PAIF.

Notes to Section 2

- Before being allowed to hold shares in the Aviva PAIF, every corporate entity that wants to own shares on its own behalf, or for one or more other corporate entities must give the applicable declarations and undertakings as set out in this section.

Declaration and Undertakings

We declare that:- (please tick the relevant box)

☐ **We will hold all the shares as beneficial owner (or as a trustee of a trust (which is not a registered pension scheme) or as a personal representative)**

In which case we undertake:

- that our own interest is less than 9.5% of the net asset value of the Aviva PAIF;
- not to acquire 9.5% or more of the net asset value of the Aviva PAIF; and
- on becoming aware we have acquired or hold 9.5% or more of the net asset value of the Aviva PAIF, to reduce our holding to below 9.5% of the net asset value*

Or

☐ **We will hold all the shares on behalf of one or more persons which are not bodies corporate and/or for one or more registered pension schemes**

Or

☐ **We will hold some or all of the shares on behalf of one or more other bodies corporate**

In which case we further declare that:

- our own interest (if any) will be less than 9.5% of the net asset value of the Aviva PAIF;
- the interest of each body corporate for which we hold shares will be less than 9.5% of the net asset value of the Aviva PAIF; and
- each of those other bodies corporate has given the following undertakings:
 - not to acquire 9.5% or more of the net asset value of the Aviva PAIF for its own account or as trustee of a trust or as a personal representative; and on becoming aware that it has acquired or holds 9.5% or more of the net asset value of the Aviva PAIF, to reduce its holding to below 9.5% of the net asset value,* and we undertake:
 - to disclose to the Authorised Corporate Director (“ACD”) if the ACD so requires the names and extent of the shareholding of each body corporate on whose behalf we are holding such shares;
 - not to acquire 9.5% or more of the net asset value of the Aviva PAIF; and
- on becoming aware we have acquired or hold 9.5% or more of the net asset value of the Aviva PAIF, to reduce our holding to below 9.5% of the net asset value*

2. Corporate and Nominee Declarations and Undertakings (continued)

* Please note that if you or any body corporate on whose behalf you hold shares acquires 10% or more of the net asset value of the Aviva PAIF we will reduce such holding to below 9.5% of the net asset value, by (at our discretion) either moving all of your holding, or the excess amount to the relevant Feeder Fund (either the income fund or accumulation fund, or both funds in which case the proportion will be in the same proportion to your income and accumulation share holding in the Aviva PAIF), or by redeeming all of your holding or the excess amount.

Section 5 must also be completed in order for the above declarations and undertakings to be valid. Investors who are eligible to receive gross distributions should also complete Section 3 below.

3. Declaration of Eligibility and Undertaking for gross payments

Only to be completed by investors who wish to Invest in Aviva PAIF shares and are eligible to receive gross distributions.

Notes to Section 3

- If you want to receive gross payments or accumulations of property income distributions from the Aviva PAIF and qualify to do so (under regulation 69Z24 of the Authorised Investment Funds (Tax) Regulations 2006 SI 2006/964) please tick the appropriate box below in Section 3.1 (beneficial owners) or 3.2 (nominees).
- If you complete this section, Section 2 and Section 5 must also be completed in order for this instruction to be valid.

3.1 Declaration, undertaking and indemnity by beneficial owners of shares

Companies resident in the UK for corporation tax purposes

☐ We declare that we are a company resident in the UK and liable to UK corporation tax and are the beneficial owner of all the shares registered in our name

UK registered pension schemes

☐ We declare that we are the trustee(s) of a UK registered pension scheme and our shareholding is its scheme property

UK Charities

☐ We declare that we are a charity/are the trustee(s) of a charity* registered in the UK which is the beneficial owner of the shareholding

Account provider of Child Trust Funds

☐ We declare that we are the account provider of Child Trust Funds and that we hold the shares as their property

Account manager of Individual Savings Accounts (ISAs)

☐ We declare that we are the account manager of ISAs and that we hold the shares as their property

Other qualifying investors

☐ We declare that we are** _____ and as such qualify to receive gross payments of property income distributions under regulation 69Z24 of the Authorised Investment Funds (Tax) Regulations 2006 (SI2006/964) in respect of our shareholding

** Please insert status

3. Declaration of Eligibility and Undertaking for gross payments (continued)

We undertake to inform Aviva Investors UK Fund Services Limited immediately if we cease to, or do not, qualify for gross payments for any reason. Where, for whatever reason, we are not entitled or we cease to be entitled to receive gross property income distributions, we:

- undertake to indemnify Aviva Investors UK Fund Services Limited against any tax and other foreseeable loss that Aviva Investors UK Fund Services Limited may incur as a result; and
- authorise Aviva Investors UK Fund Services Limited to recover any tax payable by the Aviva PAIF and Aviva Investors UK Fund Services Limited and any costs it or they incur as a result of our change of tax status from any redemption proceeds of our holding of shares that would otherwise be paid to us, or by the redemption of a sufficient value of our shares to satisfy our liability (and we shall in this event renounce title to those shares to Aviva Investors UK Fund Services Limited to enable it to redeem them).

3.2 Declaration, undertaking and indemnity for investors acquiring shares as nominee or otherwise on behalf of another person

Nominees or entities otherwise acquiring shares on behalf of another person

☐ We declare that:

- i. the shares registered in our name will be held by us as nominee for a beneficial owner or owners;
- ii. the beneficial owner or owners of the shares is/are a company liable to UK corporation tax/UK registered pension scheme/UK charity/the account provider of Child Trust Funds/the account manager of ISAs acquiring the shares to be held as ISA investments*/ [_____]**;
- iii. we have taken sufficient steps to ensure that the beneficial owner(s) is/are therefore eligible to receive gross property income distributions under regulation 69Z24 of the Authorised Investment Funds (Tax) Regulations 2006 (S12006/964); and
- iv. we have obtained an undertaking from the beneficial owner(s) that it/they will inform us immediately if it/they should cease to be entitled to receive gross property income distributions for any reason.

We undertake to inform Aviva Investors UK Fund Services Limited immediately if it should come to our notice, whether from a beneficial owner or in some other way, that the beneficial owner(s) has/have ceased to be entitled to receive gross property income distributions on the shares for any reason.

Where, for whatever reason, we are not or we cease to be entitled to receive gross property income distributions on the shares we hold as nominee or otherwise on behalf of another, we:

- undertake to indemnify Aviva Investors UK Fund Services Limited against any tax and other foreseeable loss that Aviva Investors UK Fund Services Limited may incur as a result; and
- authorise Aviva Investors UK Fund Services Limited to recover any tax payable by the Aviva PAIF and Aviva Investors UK Fund Services Limited and any costs it or they incur as a result of the change of tax status of the beneficial owner(s) for whom we hold the shares from any redemption proceeds of the holding of shares otherwise due to us or the beneficial owner, or by the redemption of a sufficient value of the shares to satisfy the liability (and we shall in this event renounce title to those shares to Aviva Investors UK Fund Services Limited to enable it to redeem them).

* Please delete as appropriate

** Please insert status

4. Data protection

Personal Information

We collect and use personal information about you so that we can provide you with your investment. This notice explains the most important aspects of how we use your information but you can get more information about the terms we use and view our full privacy policy at www.avivainvestors.com or request a copy by writing to us at the address stated in the “Contacting us” section below.

The data controller(s) responsible for this personal information is Aviva Investors UK Fund Services Limited.

Personal information we collect and how we use it

We will use your personal information:

- To provide you with your investment: we need this to set up and administer your investment,
- To support legitimate interests that we have as a business: we need this to detect and prevent fraud and to help us better understand our customers and improve our customer engagement (this includes marketing),
- To meet any applicable legal or regulatory obligations: we need this to meet compliance requirements with our regulators (e.g. Financial Conduct Authority), to comply with law enforcement and to manage legal claims; and
- To carry out other activities that are in the public interest: for example we may need to use personal information to carry out anti-money laundering checks.

We may also use personal information about other people. This may include individuals who are authorised to act on your behalf, for example, an attorney or (in the case of a corporate investor) individuals who work for or otherwise represent you. **If you are providing information about another person we expect you to ensure that they know you are doing so and are content with their information being provided to us. You might find it helpful to show them this privacy notice and if they have any concerns please contact us in one of the ways described below.**

The personal information we collect and use will include name, address, date of birth and Contact and investment details.

Of course, you don't have to provide us with any personal information, but if you don't provide the information we may not be able to proceed with setting up your investment.

Some of the information we collect as part of this application will be provided to us by third parties and this can include information already held about you within the Aviva Group, information we obtain from publicly available records, our trusted third parties and from industry databases, including fraud prevention agencies and databases.

We do not currently make any decisions based on automatic decision making using your personal information to decide whether we can provide an investment. If in the future we need to make decisions based on automatic decision making, we will inform you about this.

4. Data protection (continued)

How we share your personal information with others

We may share your personal information:

- With the Aviva Group, our agents and third parties who provide services to us to help us administer our products and services;
- With regulatory bodies and law enforcement bodies, including the police, e.g. if we are required to do so to comply with a relevant legal or regulatory obligation;
- With other organisations including public bodies and the police (either directly or using shared databases) for fraud prevention and detection purposes;

Some of the organisations we share information with directly or indirectly may be located outside of the European Economic Area (“EEA”). We’ll always take steps to ensure that any transfer of information outside of Europe is carefully managed to protect your privacy rights. For more information on this please see our privacy policy or contact us.

How long we keep your personal information for

We maintain a retention policy to ensure we only keep personal information for as long as we reasonably need it for the purposes explained in this notice. We need to keep information for the period necessary to administer your investment and deal with any queries on your investment. We may also need to keep information after our relationship with you has ended, for example to ensure we have an accurate record in the event of any complaints or challenges, carry out relevant fraud checks, or where we are required to do so for legal, regulatory or tax purposes.

Your rights

You have various rights in relation to your personal information, including the right to request access to your personal information, correct any mistakes on our records, erase or restrict records where they are no longer required, object to use of personal information where this use is based on our legitimate business interests. For more details in relation to your rights, including how to exercise them, please see our full privacy policy or contact us.

Contacting us

If you have any questions about how we use personal information, or if you want to exercise your rights stated above, please contact our Data Protection Officer by writing to them at The Data Privacy Office, Aviva Investors, 80 Fenchurch Street, London EC3M 4AE or email dpoffice@avivainvestors.com

If you have a complaint or concern about how we use your personal information, please contact us in the first instance and we will attempt to resolve the issue as soon as possible. You also have the right to lodge a complaint with the Information Commissioner’s Office at any time.

Marketing – How we keep you informed

The Aviva Group and its agents may use personal information we hold about you across the Aviva Group to help us identify and tailor products and services that may be of interest to you and would like to contact you from time to time to provide you with updates and offers for Aviva’s products and services tailored to you by direct marketing by post, phone, email or text. We may continue to do this after your investment has ended.

To tell us if you would prefer not to hear about Aviva products and services please contact us at Aviva, Freepost, Mailing Exclusion Team, Unit 5, Wanlip Road Ind Est, Syston, Leicester, LE7 1PD.

5. Signatories

Please ensure that you sign and date the form before returning it to us.

Signature	
Print Name	
Capacity	
Date	

If there is a second signatory.

Signature	
Print Name	
Capacity	
Date	

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