



# Dual Index Defensive Kick Out Plan August 2023

## Application form UK Trustees and Corporate Investors

### Key Dates:

ISA transfer deadline: 26 July 2023

Application deadline: 11 August 2023

Start Level Date: 18 August 2023

### Can we help you?

If you or your financial adviser needs help completing the form, please contact our Administrator and Custodian, telephone calls may be recorded.

T 01253 831 165

E [Mariana.Applications@jbrearley.co.uk](mailto:Mariana.Applications@jbrearley.co.uk).

Please send completed applications including the required supporting documentation to:

James Brearley, Walpole House, Unit 2, Burton Road, Blackpool, Lancashire, FY4 4NW

Note this requires completion of only one of the two FATCA Self-Certification forms attached, determined by whether you are applying as a Trust or Entity.

Please note that we cannot accept your application unless you have either received financial advice or had the appropriateness of this investment assessed by an FCA regulated financial adviser.

**Application Checklist:** Please follow the instructions below when completing and submitting your application. Please note these are guidelines only and when the application is received more information may be requested for successful account setup.

### Requirements for all applications:

- ☐ Before any business can be accepted a Mariana Terms of Business form must be completed by the financial adviser and submitted to Mariana for approval. (This only needs to be completed the first time a financial adviser submits an application form).
- ☐ Application form must be completed in full, filling in all required fields.
- ☐ Section titled "Financial Adviser Section" must be completed in full by the financial adviser.
- ☐ Funds must be submitted from an account in the client's own name. Funds received from third party accounts cannot be accepted.
- ☐ Funds must be sent to the Administrator and Custodian within the respective deadlines set forth above. The amount sent must match the amount in the application.

### Additional Requirements for UK Trustees and Corporate Investors applications only:

#### Corporate Investors

- ☐ Certificate of Incorporation.
- ☐ Authorised Signatory list (If there is no signatory list available please complete section 7).
- ☐ FATCA Entity self-certification form to be completed in full (this only needs to be completed the first time the Corporate Investor invests in a Mariana Plan).

#### UK Trustees

- ☐ Trust Deed
- ☐ Authorised Signatory list (If there is no signatory list available please complete section 7).
- ☐ FATCA Trustee self-certification form to be completed in full (only needs to be completed the first time the trustee invests in a Mariana Plan).
- ☐ Extract from the register to demonstrate that the trust has been registered on TRS.

Please complete this form using BLOCK CAPITALS and black ink.

Please fill in the name of your financial adviser and firm here:

Financial adviser name:

Financial adviser firm:

Payment information

If you are paying by bank transfer tick here: ☐

Please send the investment amount to the following account:

Account name:

Bank:

Bank sort code: 

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| 1 | 6 | – | 1 | 4 | – | 1 | 2 |
|---|---|---|---|---|---|---|---|

Account number: 

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| 1 | 0 | 5 | 0 | 4 | 6 | 0 | 8 |
|---|---|---|---|---|---|---|---|

Please quote your name in the reference.

If you are paying by cheque please make it payable to: **James Brearley & Sons Limited.**

Please note that your payment should be made from an account held in your name. Your application will be rejected if payment is not made from an account held in your name.

Important: If you do not quote the reference you use when transferring your payment in support of your application it may not be possible to connect your Application Form with your payment and this may lead to your application being rejected. No liability will be accepted where this occurs if you have not quoted a reference number on your payment transfer and on this Application Form.

Section 1 – Your Details

Name of Trust/Company:

Date of Trust/Company registration number:

Legal Entity Identifier (LEI)\*:

LEI expiry date\*: 

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

Permanent address

Building name/number:

Street name:

District:

City/Town:

County:

Postcode:

Country:

Registered address:

Postcode:

Country of incorporation/ establishment:

\*Under new European legislation, the Markets in Financial Instruments Directive (MiFID II) and Regulation (MiFIR) require 'Legal Entities' to obtain a 'Legal Entity Identifier' (LEI). We are unable to process your application without a LEI.

Section 1 – Your Details continued

Contact name:

Contact telephone number:

Ownership: Beneficiary of Trust/  
Shareholder of company:

Name (in full):

Address:

Postcode:

Date of birth:

D

D

M

M

Y

Y

Y

Y

National Insurance (NI) number:

Country of residence:

Nationality:

Please provide details of all interests in excess of 25%; if more than one please provide details of each on a separate list or on a photocopy of this page).

For Trusts only: Settlor details

Name (in full):

Address:

Postcode:

Country of residence:

Date of birth:

D

D

M

M

Y

Y

Y

Y

National Insurance (NI) number:

Section 2 – Your email address

Please provide a valid email address below. If you do not provide a valid email address, you will not be able to access your account through the James Brearley & Sons web portal.

E-mail address:

Section 3 – Investment Amount and Adviser Fees

The minimum investment amount is £10,000.

ISIN:

XS2395322683

How much money are you sending with this application?

£

Adviser Fee:

£

or %

Total Amount you are sending by Cheque or Electronic Funds Transfer:

£

Investments made by bank transfer:

If you are making your investment by bank transfer, please tell your bank or building society to include a reference with the transfer in the format 'MIR' followed by your name.  
Please enter the reference you used - MIR

If you do not include the reference with your transfer it may not be possible to connect your funds with this application and this may delay your application or lead to it being rejected.

Section 4 – Your Bank Account Details for Payments

Bank/Building Society:

Account name:

Reference or Roll number:

Sort code:

–

–

Account number:

Important:

Please note that for any remittance of monies to be made to you, the bank account details you have provided need to have been verified as yours. If you have sent a cheque in support of this application and the account the cheque has been drawn on is the same as the account above, then your cheque can provide the evidence needed for verification. If you send your Payment in support of this application electronically, you may need to provide additional documentation that verifies the account details above as yours.  
  
Documentation that is acceptable as verification evidence include an original bank statement for the account detailed above showing your name and address or an original cheque (which can be crossed as "void" for security purposes).

Section 5 – Additional anti-money laundering information

Under the rules and guidance of the Financial Conduct Authority, James Brearley & Sons has a regulatory obligation to manage the risk that its business may be used to further financial crime. In order to meet these regulatory obligations certain information is needed from you.

(Please tick as applicable)

Source of funds

\*What is the source of the funds being used to support this application?

Trust assets

Estate assets

Pension fund

other (please state)

☐

☐

☐

Personal savings

Property sale

Bequest

☐

☐

☐

# Section 6 – Trustees/Authorised Signatories

The instruction to invest in the Plan under the Terms and Conditions of the Plan must be authorised by the trustees or authorised signatories as set out in the Trust Deed or corporate mandate authorised by a corporate resolution.

Please provide a list (or a certified true copy if a copy of the list) of the names and sample signatures of all the Trustees, or authorised signatories and provide details of their signing authority if applicable. If no list is available, please complete the section below.

If there are more than four authorised signatories, please continue on a separate sheet of paper. Where there is a change of the Trustees or the authorised signatories, please notify James Brearley & Sons Limited in writing giving the date of the change. Notice should be sent to Outsourced Administration Services, James Brearley & Sons Limited, PO Box 34, Unit 2 Burton Road, Blackpool, Lancashire, FY4 4WX. James Brearley & Sons Limited will be entitled to rely on any previous list until receipt of notice of a change or a replacement list.

|                                 | First Trustee/Authorised Signatory  | Second Trustee/Authorised Signatory   |
|---------------------------------|---|---|
| Name:                           | <input type="text"/>  | <input type="text"/>  |
| Date of birth:                  | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div>               | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div>               |
| National Insurance (NI) number: | <div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div> | <div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div> |
| Address:                        | <div><input type="text"/></div> <div><input type="text"/></div>   | <div><input type="text"/></div> <div><input type="text"/></div>   |
| Postcode:                       | <input type="text"/>  | <input type="text"/>  |
| Contact telephone number:       | <input type="text"/>  | <input type="text"/>  |
| Capacity:                       | <input type="text"/>  | <input type="text"/>  |
| Signature:                      | <div><input type="text"/></div>   | <div><input type="text"/></div>   |
| Date:                           | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div>               | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div>               |
|                                 | Third Trustee/Authorised Signatory  | Fourth Trustee/Authorised Signatory   |
| Name:                           | <input type="text"/>  | <input type="text"/>  |
| Date of birth:                  | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div>               | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div>               |
| National Insurance (NI) number: | <div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div> | <div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div> |
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| Postcode:                       | <input type="text"/>  | <input type="text"/>  |
| Contact telephone number:       | <input type="text"/>  | <input type="text"/>  |
| Capacity:                       | <input type="text"/>  | <input type="text"/>  |
| Signature:                      | <div><input type="text"/></div>   | <div><input type="text"/></div>   |
| Date:                           | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div>               | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div>               |

## Section 7 – Data Protection

You authorise us to hold and process the information supplied on the application form as a data controller for the purposes of the General Data Protection Regulation (GDPR). We will hold and process information for the administration of this and any future application, for the operation of your investment, for statistical analysis and for marketing goods and services. You also authorise us to transfer information you provide on your application form (or subsequently) to Mariana. They will only use such data for purposes ancillary to their role as Plan Manager, including but not limited to hedge management, dealing with queries, fulfilling their regulatory obligations, statistical analysis and marketing on the Plan’s maturity. Your data will be used for no other purposes.

You authorise the disclosure of your information concerning your investment to a financial adviser acting on your behalf. You are entitled to request details of any of your personal data we may hold and to require us to correct any inaccuracies. The Plan Administrator will not send you marketing information.

## Declaration and Authority

We, the trustees/authorised signatories, request James Brearley & Sons Limited to arrange for the purchase of the Plan(s) on our behalf.

I declare that:

1. We have full power to invest in the Plan and have taken all necessary action to authorise the making of this application. The person(s) signing this application are authorised to do so.

2. We authorise James Brearley & Sons Limited to hold the cash subscription, investments, interest, dividends and other rights or proceeds in respect of those investments and any cash or other proceeds.

3. We have read and understood the information contained within the brochure which refers to Counterparty Risk and understand that should the Counterparty fail to meet its obligations to pay us the amount due from our investment, we may not receive back our investment and may not be entitled to any compensation.

4. We have read and understood "Is this investment suitable for you?" and "Risks" and confirm that the terms set out within the brochure are acceptable to us as the investor.

5. We understand that market prices can go down as well as up and we may get back less than our original investment. Past performance is not a guide to future performance.

6. We understand that the levels and bases of taxation may change.
7. We understand that in compliance with the FCA rules, telephone calls will be recorded.

8. We understand that early encashment is likely to lead to some loss of capital.

9. We are not acting on behalf of a resident of the United States or a U.S. Person (as defined under the Internal Revenue Code of 1986, as amended) and we will not assist any person who is resident in the United States or a U.S. Person to acquire an interest in the Trust/Bond. We agree to inform you immediately should we believe anyone connected with the trust becomes a resident of the United States or a U.S. Person.

10. We are not acting on behalf of a person who is in the United States or who is a U.S. Person (as defined in Regulation S under the U.S. Securities Act of 1933, as amended).

11. We undertake to advise James Brearley & Sons Limited immediately in writing of any changes in the information contained in this application form including any changes to the trustees/authorised signatories.

We have read and understood the relevant Key Information Document (KID) and the Plan brochure including the Terms & Conditions and accept the terms under which the Investment will be managed. We are not prohibited under the terms of the trust deed or the company's constitution from investing in this Plan. We declare that this application form has been completed to the best of our knowledge and belief. We understand that the producers of this brochure have not provided investment advice and confirm that we are making this application through a financial adviser (and have taken taxation advice if appropriate) and we wish to make this investment.

Signed by the Trustees/the authorised signatories:

|             | First signature:  | Second signature:   |
|-------------|---|---|
| Signature:  | <div></div>   | <div></div>   |
| Capacity:   | <div></div>   | <div></div>   |
| Print name: | <div></div>   | <div></div>   |
| Date:       | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div> | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div> |

## Section 8 – Financial Adviser Section (Financial Adviser use only)

Please ensure you have completed, signed and returned a Mariana Terms of Business.  
A copy can be downloaded from our website at [www.marianainvestments.com](http://www.marianainvestments.com).  
If a Mariana Terms of Business Form has not been completed and approved, we will be unable to process any applications.

|  |  |  |
|--|--|--|
| Name of adviser:   |  |  |
| Name of company:   |  |  |
| Address:   |  |  |
| Telephone number:  |  |  |
| Email address:   |  |  |
| Are you a member of a network or directly authorised?  | Please tick as appropriate.<br>Network <input type="checkbox"/> Directly authorised <input type="checkbox"/>   |  |
| If you have selected network, please state which network:  |  |  |
| Your FCA (or equivalent) registration number:  |  |  |
| Have you identified the investor as a vulnerable client:   | Yes <input type="checkbox"/>   |  |
| Does the investor fall within the target market established in the brochure?:  | Yes <input type="checkbox"/> No <input type="checkbox"/>   |  |
| If no, please outline your rationale for submitting an application on behalf of an investor falling outside the target market: |  |  |
|  | <b>Suitability</b> (For Advised applications only)<br>Please confirm that you have provided a copy of this Plan's Key Information Document (KID) and brochure and disclosed the associated risks of this Investment and that you have conducted the required suitability assessment and that you consider this product to be suitable for your client.<br>Yes <input type="checkbox"/> No <input type="checkbox"/>   | <b>Verification of Identity</b><br><br>Please be aware that we have obligations under UK Anti Money Laundering (AML) regulations and reserve the right to request further evidence of identity so as to be able to fulfil these requirements. Depending on the circumstances, where we consider we have not been able to fulfil these obligations, we may decide not to proceed with an application. |
|  | <b>Appropriateness</b> (For Execution Only applications)<br>Please confirm that you have provided a copy of this Plan's Key Information Document (KID) and brochure and confirmed the appropriateness of this investment and that you consider this product to be appropriate for your client.<br>Yes <input type="checkbox"/> No <input type="checkbox"/>   |  |
| Adviser Declaration:   | <b>I confirm that all dealings with the investor have been carried out in accordance with the requirements of the FCA Handbook and in accordance with my obligations under Mariana/JBS' current Terms of Business.</b><br><br><b>I Acknowledge my responsibility to evaluate all information on the Plan and confirm that where I have given advice, I have the necessary knowledge and experience to be deemed competent to assess the Plan and its suitability to an applicant's circumstances and investment objectives.</b><br><br><b>I declare that this application has been completed to the best of my knowledge and belief and I have agreed any adviser charge with the applicant.</b> |  |
| Signature:   |  |  |
| Date:  | <div><div>D</div><div>D</div><div>M</div><div>M</div><div>Y</div><div>Y</div><div>Y</div><div>Y</div></div>  |  |

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