



# Anti-money laundering and counter-terrorism handbook for Australian investors

GI Asset Management (GIAM) ACN 161 434 779

May 2013

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## CONTENTS

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<b>1.</b>	<b>Anti-money laundering and counter-terrorism financing</b>	<b>2</b>
1.1	Why does the AML/CTF Act affect GIAM	2
1.2	How does this affect you?	2
<b>2.</b>	<b>Requirements for investors</b>	<b>2</b>
2.1	Types of investors	2
2.2	Existing Investors	3
2.3	New Investors	3
2.4	Other New Investors	4
<b>3.</b>	<b>Certification of documents</b>	<b>4</b>
3.1	What is a certified copy (of an original document)?	4
3.2	What is a certified extract?	4
3.3	Who can certify documents?	4
3.4	What is included in a certified extract?	5
<b>4.</b>	<b>Frequently asked questions</b>	<b>6</b>
4.1	What will GIAM do with the information you provide?	6
4.2	What happens if GIAM is not reasonably satisfied with the documentation you provide?	6
4.3	Who can translate documents?	7
<b>Schedule 1—Identification/verification checklist—Individual</b>		<b>8</b>
<b>Schedule 2—Identification/verification checklist—Company</b>		<b>10</b>
<b>Schedule 3—Identification/verification checklist—Trust</b>		<b>12</b>
<b>Schedule 4—Identification/verification checklist—Partnership</b>		<b>14</b>
<b>Schedule 5—Accredited translator details form</b>		<b>16</b>

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## **1. Anti-money laundering and counter-terrorism financing**

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In 2006 the Australian Federal Government enacted the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act). The purpose of this legislation is to enable Australia's financial sector to maintain international business relationships, detect and prevent money laundering and terrorism financing by meeting the needs of law enforcement agencies and to bring Australia into line with international standards.

### **1.1 Why does the AML/CTF Act affect GIAM**

GIAM is a 'reporting entity' pursuant to the AML/CTF Act and as such must meet stringent investor identification and verification requirements. This means that prior to issuing units in the Life Settlements Wholesale Fund (Fund) to an investor, GIAM must be 'reasonably satisfied' the investor exists and the investor is who they claim to be.

### **1.2 How does this affect you?**

As a result of GIAM's requirements under the AML/CTF Act, all prospective investors of the Fund are required to provide GIAM with the necessary information it needs in order to sufficiently identify the investor and verify the investor is who they claim to be.

The information you need to provide will depend on what type of investor you are. The types of investors are set out in section 2 of this Handbook.

## **2. Requirements for investors**

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### **2.1 Types of investors**

This Handbook applies to Australian resident investors, including—

- (a) individuals (including sole traders)
- (b) partnerships
- (c) companies registered in Australia
- (d) trusts established in Australia (including registered schemes, platforms, IDPS, regulated trusts, pension/superannuation funds and government superannuation funds)
- (e) associations

- (f) registered co-operatives, and
- (g) government bodies.

The information you will need to provide to GIAM depends on whether you have previously invested in the Fund or another managed investment scheme operated by GIAM (Existing Investor) or whether you are a new investor seeking to invest either directly in the Fund or indirectly through a financial planner or adviser (New Investor).

#### QUICK REFERENCE GUIDE

If you are an Existing Investor	Go to section 2.2
If you are a New Investor	Go to section 2.3

## 2.2 Existing Investors

If you are able to demonstrate you are an Existing Investor, then you **do not** need to provide GIAM identification and verification documentation.

To indicate you are an Existing Investor you must complete the “Existing Investor” section of the application form in the Fund’s product disclosure statement and provide your account name and number.

Notwithstanding the above, GIAM may at its discretion require you to provide any relevant identification and verification documentation which it deems necessary having regard to its ongoing obligations under the AML/CTF Act.

## 2.3 New Investors

If you are a New Investor, then you must complete the appropriate identification checklist in this Handbook depending on your investor type and provide GIAM with the identification and verification documentation requested in the checklist.

#### QUICK REFERENCE GUIDE

If you are an individual	Go to Schedule 1
If you are a company	Go to Schedule 2
If you are a trust	Go to Schedule 3
If you are a partnership	Go to Schedule 4
All other New Investors	Go to section 2.4

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## 2.4 Other New Investors

In the event you do not fall within one of the categories listed in the 'Quick Reference Guide' for New Investors above (for instance, you are investing as an association), then please contact GIAM on +617 5557 4700 to discuss the identification and verification documentation which must be provided by you.

## 3. Certification of documents

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### 3.1 What is a certified copy (of an original document)?

A certified copy of a document is a copy that has been certified as a true copy of an original document by a person who is authorised by law to do so.

### 3.2 What is a certified extract?

A certified extract is 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 people described in section 3.3 below.

### 3.3 Who can certify documents?

The following people (within Australia) are permitted to certify documents for investors:

- (a) A lawyer who is enrolled on the roll of an Australian Supreme Court or the High Court of Australia, as a legal practitioner.
- (b) A judge, registrar or deputy registrar of a court.
- (c) A magistrate.
- (d) A chief executive officer of a Commonwealth court.
- (e) A justice of the peace.
- (f) A notary public (for the purposes of the *Statutory Declaration Regulations 1993*).
- (g) A police officer.
- (h) An agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public.

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- (i) A permanent employee of the Australian Postal Corporation with two or more years of continuous service who is employed in an office supplying postal services to the public.
  - (j) An Australian consular officer or an Australian diplomatic officer (within the meaning of the *Consular Fees Act 1955*).
  - (k) An officer with two or more continuous years of service with one or more financial institutions (for the purposes of the *Statutory Declaration Regulations 1993*).
  - (l) A finance company officer with two or more continuous years of service with one or more finance companies (for the purposes of the *Statutory Declaration Regulations 1993*).
  - (m) An officer with, or authorised representative of, a holder of an Australian financial services licence, having two or more continuous years of service with one or more licensees.
  - (n) A member of the Institute of Chartered Accountants in Australia, Certified Practising Accountants Australia or the National Institute of Accountants with two or more years of continuous membership.

### **3.4 What is included in a certified extract?**

- (a) For partnerships—either of the following must be provided:
  - (i) A certified extract of the original partnership agreement which contains—
    - A. the full name of the partnership
    - B. the full business name (if any) of the partnership
    - C. the full names of each individual member of the partnership, and
    - D. the execution pages of the partnership agreement.
  - (ii) A certified extract of minutes of a partnership meeting which contains—
    - A. the full name of the partnership
    - B. the full business name (if any) of the partnership
    - C. the full names of each member of the partnership, and

- 
- D. the full names of each member of the partnership who attended the meeting.
- (b) For trusts—the following must be provided:
- (i) The full name of the trust.
  - (ii) The type of trust (e.g., unit trust or discretionary trust).
  - (iii) A list of the beneficiaries of the trust.
  - (iv) The execution page of the trust deed.

## **4. Frequently asked questions**

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### **4.1 What will GIAM do with the information you provide?**

GIAM will maintain all information collected from investors in a secure manner in accordance with the AML/CTF Act and relevant privacy principles. GIAM will only disclose information about you where it reasonably considers it is required to do so by the laws of Australia.

Where required by law, GIAM may disclose your information to regulatory or law enforcement agencies, including the Australian Transaction Reports and Analysis Centre, which is responsible for regulating the AML/CTF Act. If GIAM does disclose your information to regulatory or law enforcement agencies, under the AML/CTF Act it is prevented from informing you that such reporting has taken place.

GIAM may also disclose this information to other entities involved with the Fund, to the extent that this information is required to fulfil that entity's anti-money laundering obligations.

### **4.2 What happens if GIAM is not reasonably satisfied with the documentation you provide?**

In order to comply with its obligations under the AML/CTF Act, GIAM has implemented a number of measures and controls to carefully identify and monitor investors. As a result of those measures, if GIAM is not reasonably satisfied you exist and you are who you claim to be, then—

- (a) transactions may be delayed, blocked, frozen or refused

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- (b) where transactions are delayed, blocked, frozen or refused GIAM will not be liable for any loss you suffer (including consequential loss) as a result of GIAM's compliance with the AML/CTF Act, and
  - (c) GIAM may require additional information from you to assist in the verification process.

### **4.3 Who can translate documents?**

The AML/CTF Act requires all translations of documents to be carried out by an “accredited translator”.

GIAM will generally accept translations provided by Australian investors which are undertaken by translators who hold National Accreditation Authority for Translators and Interpreters translator accreditation.

If translation of documentation is required, then Schedule 5—Accredited translator details form must be completed and submitted to GIAM with the relevant identification/verification checklist.

GIAM reserves the right to refuse to accept a translation if it is not satisfied the translator who undertook the translation is sufficiently qualified.



## Schedule 1—Identification/verification checklist—Individual

### GUIDE TO COMPLETING THIS FORM

- This form must be completed by any investor who is an individual or sole trader residing in Australia.
- Complete one form for each individual.
- Complete all applicable sections of this form in BLOCK LETTERS.
- If any documentation provided is written in a language that is not English, then the documentation must be accompanied by an English translation prepared by an accredited translator and the 'accredited translator details form' in Schedule 5 must be completed and submitted with this checklist.
- Investors who are investing directly in the Fund must send this form and a legible copy of the ID document(s) (and any required English translation) to GIAM with the completed application.
- Investors who are investing through a financial planner or adviser must provide this form and a legible copy of the ID document(s) (and any required English translation) to your planner or adviser.
- Financial planners and advisers must complete section 3 of this checklist and send the completed application along with ID document(s) (and any required English translation) to GIAM.
- Contact GIAM on Tel: +61 7 5557 4700, Fax: +61 7 5591 4375 or email to: [admin@lifasettlementsfund.com](mailto:admin@lifasettlementsfund.com) if you have any queries.

### SECTION 1: PERSONAL DETAILS

Surname

Date of birth

day / month / year

Full given name(s)

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

### SECTION 2: IDENTIFICATION PROCEDURE

**INDIVIDUALS MUST PROVIDE THE DOCUMENTATION FROM EITHER PART A OR PART B**

#### PART A – ACCEPTABLE PRIMARY ID DOCUMENTS

Provide an original or certified copy<sup>A</sup> of ONE of the following Part A documents

Tick ✓	Residency documentation
<input type="checkbox"/>	Australian driver's licence containing a photograph of the person
<input type="checkbox"/>	Australian passport (a passport that has expired within the preceding two years is acceptable)
<input type="checkbox"/>	Card issued by a State or Territory in Australia for the purpose of proving a person's age containing a photograph of the person

<b>PART B – ACCEPTABLE SECONDARY ID DOCUMENTS</b>	
Provide an original or certified copy <sup>^</sup> of ONE of the following Part B documents	
<b>Tick ✓</b>	<b>Residency documentation</b>
	Birth certificate issued by a State or Territory of Australia or a foreign government, the United Nations or an agency of the United Nations*
	Australian citizenship certificate
	Pension card issued by Centrelink
	Health card issued by Centrelink
PLUS also provide an original or certified copy <sup>^</sup> of ONE of the following documents	
	A document issued by the Commonwealth or a State or Territory in Australia 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
	A document issued by a local government body or utilities provider within the preceding three 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 the investor is under the age of 18, then a notice that— <ul style="list-style-type: none"> <li>• was issued to the investor by a school principal within the preceding three months</li> <li>• contains the investor's name and residential address, and</li> <li>• records the period of time that the investor attended at that school</li> </ul>

<sup>^</sup> See section 3 of the AML/CTF Handbook on what can be a certified copy or extract of a document.

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

### SECTION 3: RECORD OF IDENTIFICATION PROCEDURE (ADVISER TO COMPLETE)

<b>ID RECORD</b>	<b>Document 1</b>	<b>Document 2</b>
Verified from	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy
Copy of ID document	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)
<b>ID DOCUMENT DETAILS</b>	<b>Document 1</b>	<b>Document 2</b>
Document issuer		
Issued date		
Expiry date		
Document number		
Accredited English translation	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted

Adviser's name

AFS licensee name  AFS licence no.

Adviser's signature  Date   
day / month / year

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## Schedule 2—Identification/verification checklist—Company

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### GUIDE TO COMPLETING THIS FORM

- This form must be completed by any investor which is a company incorporated and registered in Australia.
- Complete all applicable sections of this form in BLOCK LETTERS.
- Investors who are investing directly in the Fund must send this form and a legible copy of the ID document(s) (and any required English translation) to GIAM with the completed application.
- Investors who are investing through a financial planner or adviser must provide this form and a legible copy of the ID document(s) (and any required English translation) to your planner or adviser.
- Financial planners and advisers must complete section 3 of this checklist and send the completed application along with ID document(s) (and any required English translation) to GIAM.
- Contact GIAM on Tel: +61 7 5557 4700, Fax: +61 7 5591 4375 or email to: [admin@lifeselementsfund.com](mailto:admin@lifeselementsfund.com) if you have any queries.

### SECTION 1: COMPANY DETAILS

Full name as registered by ASIC

Full address of registered office (PO Box is not acceptable)

C/- (if applicable)

Street

Suburb

State

Postcode

Country

Full address of principal place of business (if the same as the registered office, write 'as above')

Street

Suburb

State

Postcode

Country

ACN issued to the company

Is the company registered as a proprietary company or a public company? (select one)

Proprietary company

Public company

If the company is registered as a proprietary company, then complete the name of each director

(attach ASIC company search as annexure if more than five directors)

Director 1

Director 2

Director 3

Director 4

Director 5

**SECTION 2: IDENTIFICATION PROCEDURE****PART A – ACCEPTABLE ID DOCUMENTS : COMPANY (PUBLIC OR PROPRIETARY)**

<b>Tick ✓</b>	<b>You must provide the following:</b>
	A search of the relevant ASIC database (including the name and addresses of those shareholders of unregulated proprietary companies that hold more than 25% of the issued share capital in the company)
	A search of the relevant stock exchange (where company is listed or a majority owned subsidiary of a listed company)
	A search of the licence or other records of the relevant regulator (where company is regulated)

**SECTION 3: RECORD OF IDENTIFICATION PROCEDURE (ADVISER TO COMPLETE)**

ID RECORD	Document 1	Document 2 (if relevant)	Document 3 (if relevant)
Verified from	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy
Copy of ID document	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)
ID DOCUMENT DETAILS	Document 1	Document 2	Document 3
Document issuer			
Issued date			
Expiry date			
Document number			
Accredited English translation	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted

Adviser's name

AFS licensee name

AFS licence no.

Adviser's signature

Date

day / month / year

## Schedule 3—Identification/verification checklist—Trust

### GUIDE TO COMPLETING THIS FORM

- This form must be completed by any investor which is a trust established in Australia.
- Complete all applicable sections of this form in BLOCK LETTERS.
- If any documentation provided is written in a language that is not English, then the documentation must be accompanied by an English translation prepared by an accredited translator and the 'accredited translator details form' in Schedule 5 must be completed and submitted with this checklist.
- Investors who are investing directly in the Fund must send this form and a legible copy of the ID document(s) (and any required English translation) to GIAM with the completed application.
- Investors who are investing through a financial planner or adviser must provide this form and a legible copy of the ID document(s) (and any required English translation) to your planner or adviser.
- Financial planners and advisers must complete section 3 of this checklist and send the completed application along with ID document(s) (and any required English translation) to GIAM.
- Contact GIAM on Tel: +61 7 5557 4700, Fax: +61 7 5591 4375 or email to: [admin@lifeselementsfund.com](mailto:admin@lifeselementsfund.com) if you have any queries.

### SECTION 1A: TRUST DETAILS

Full name of the trust

Type of trust (e.g., unit or discretionary trust)

ARSN (if relevant)

### SECTION 1B: TRUSTEE DETAILS

Full name of trustee

Full business name (if any) of trustee

- For an individual trustee, please provide the information required to be collected from an individual under the identification and verification checklist for individuals in Schedule 1.
- For a corporate trustee, please provide the information required to be collected from a company under the identification and verification checklist for companies in Schedule 2 or Schedule 3 (as applicable).

### SECTION 2: IDENTIFICATION PROCEDURE

#### PART A – ACCEPTABLE ID DOCUMENTS : REGISTERED MANAGED INVESTMENT SCHEME OR GOVERNMENT SUPERANNUATION FUND

Tick ✓	Select ONE valid option from this section
<input type="checkbox"/>	ASIC search confirming the registration of the managed investment scheme
<input type="checkbox"/>	An extract from relevant legislation confirming the establishment of the government superannuation fund

#### PART B – ACCEPTABLE ID DOCUMENTS – ALL OTHER TRUSTS

Tick ✓	You must select this option if the trust is not classified as a registered managed investment scheme or government superannuation fund
<input type="checkbox"/>	The original trust deed or a certified copy <sup>^</sup> or a certified extract <sup>^</sup> of the trust deed confirming the full name of the trust
<input type="checkbox"/>	Document providing list of each beneficiary or the details of each class of beneficiary
<input type="checkbox"/>	Collect verification material required to be collected from an individual under the identification and verification checklist in Schedule 1
<input type="checkbox"/>	Collect verification material required to be collected from a company under the identification and verification checklist in Schedule 2

<sup>^</sup> See section 3 of the AML/CTF Handbook on what can be a certified copy or extract of a document

**SECTION 3: RECORD OF IDENTIFICATION PROCEDURE (ADVISER TO COMPLETE)**

ID RECORD	Document 1	Document 2	Document 3 (if required)
Verified from	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy
Copy of ID document	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)
ID DOCUMENT DETAILS	Document 1	Document 2	Document 3
Document issuer			
Issued date			
Expiry date			
Document number			
Accredited English translation	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted

Adviser's name

AFS licensee name  AFS licence no.

Adviser's signature  Date   
day / month / year

## Schedule 4—Identification/verification checklist—Partnership

### GUIDE TO COMPLETING THIS FORM

- This form must be completed by any investor which is a partnership registered in Australia or whose partners reside in Australia.
- Complete all applicable sections of this form in BLOCK LETTERS.
- If any documentation provided is written in a language that is not English, then the documentation must be accompanied by an English translation prepared by an accredited translator and the 'accredited translator details form' in Schedule 5 must be completed and submitted with this checklist.
- Investors who are investing directly in the Fund must send this form and a legible copy of the ID document(s) (and any required English translation) to GIAM with the completed application.
- Investors who are investing through a financial planner or adviser must provide this form and a legible copy of the ID document(s) (and any required English translation) to your planner or adviser.
- Financial planners and advisers must complete section 3 of this checklist and send the completed application along with ID document(s) (and any required English translation) to GIAM.
- Contact GIAM on Tel: +61 7 5557 4700, Fax: +61 7 5591 4375 or email to: [admin@lifeseitlementsfund.com](mailto:admin@lifeseitlementsfund.com) if you have any queries.

### SECTION 1A: PARTNERSHIP DETAILS

Full name of the partnership

Full business name (if any) of the partnership as registered under any State or Territory business names legislation

Country in which the partnership was established

Is the partnership registered by a professional association?  Yes  No

A. If 'Yes':

Provide name of professional association

B. If 'No':

Full name and residential address of each partner in the partnership (attach annexure if more than three partners)

Partner 1	Full name	<input type="text"/>					
	Street	<input type="text"/>					
	Suburb	<input type="text"/>	State	<input type="text"/>	Postcode	<input type="text"/>	Country
Partner 2	Full name	<input type="text"/>					
	Street	<input type="text"/>					
	Suburb	<input type="text"/>	State	<input type="text"/>	Postcode	<input type="text"/>	Country
Partner 3	Full name	<input type="text"/>					
	Street	<input type="text"/>					
	Suburb	<input type="text"/>	State	<input type="text"/>	Postcode	<input type="text"/>	Country

### SECTION 1B: INDIVIDUAL PARTNER DETAILS

Complete the information required to be collected from ONE partner under the identification and verification checklist for individuals in Schedule 1

**SECTION 2: IDENTIFICATION PROCEDURE****PART A – ACCEPTABLE ID DOCUMENTS – PARTNERSHIP**

<b>Tick</b> ✓	Select ONE valid option
	A certified copy <sup>^</sup> or certified extract <sup>^</sup> of the original partnership agreement
	A certified copy <sup>^</sup> or certified extract <sup>^</sup> of minutes of a partnership meeting

**PART B – ACCEPTABLE ID DOCUMENTS – INDIVIDUAL PARTNER**

Collect verification material required to be collected from ONE partner under the identification and verification checklist for individuals in Schedule 1

<sup>^</sup> See section 3 of the AML/CTF Handbook on what can be a certified copy or extract of a document

**SECTION 3: RECORD OF IDENTIFICATION PROCEDURE (ADVISER TO COMPLETE)**

ID RECORD	Document 1	Document 2
Verified from	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy	<input type="checkbox"/> Original <input type="checkbox"/> Certified copy
Copy of ID document	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)	<input type="checkbox"/> Attached <input type="checkbox"/> Not attached (Complete ID document details below)
ID DOCUMENT DETAILS	Document 1	Document 2
Document issuer		
Issued date		
Expiry date		
Document number		
Accredited English translation	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted	<input type="checkbox"/> N/A <input type="checkbox"/> Sighted

Adviser's name

AFS licensee name

AFS licence no.

Adviser's signature

Date

day / month / year



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## Schedule 5—Accredited translator details form

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This form must be completed and attached to the identification and verification checklist of any investor who has had documentation translated by an accredited translator

### SECTION A: TRANSLATOR PERSONAL DETAILS

Surname

Full given name(s)

### SECTION B: TRANSLATOR QUALIFICATIONS

Name of institution /organisation (e.g., University, Specialist College)

Name of Course

Qualification (e.g., Masters Degree, Graduate Diploma, Undergraduate Degree)

Total number of years of study undertaken to attain qualifications

### SECTION C: TRANSLATOR STATEMENT

I confirm I have translated the identification documents required by GI Asset Management Limited in relation to their investment offer.

I have endorsed each document I have translated with my accreditation stamp.

I am a qualified and accredited translator and have the sufficient skills and experience to translate the identification documents.

I acknowledge that it is an offence in Australia under the *Anti-Money Laundering and Terrorist Financing Act 2006* to give false and misleading information.

Signature

Date

day / month / year