



27 July 2022

**NOTICE TO: CUSTODIANS/NOMINEE AGENTS AND
OTHER MANAGED INVESTMENT TRUSTS (MIT)**

The following provides details of the components of the Waratah Hotel Fund special distribution relating to the 2022 financial year (FY2022 Special Distribution). The distribution is 30.00 cents per stapled security for the period and will be paid on 28 July 2022.

Waratah Hotels Limited

No dividend was declared for the FY2022 Special Distribution.

Waratah Hotels No. 2 Limited

No dividend was declared for the FY2022 Special Distribution.

Waratah Hotel Fund

Waratah Funds Management Limited, the Responsible Entity of Waratah Hotel Fund (the Trust), declares that the Trust is a withholding MIT for the purposes of Subdivision 12-H of Schedule 1 of the *Taxation Administration Act 1953* (Cth) in respect of its income year ending 30 June 2022, and gives the following notice to you as recipient of a payment of 30.00 cents per unit for the period ended 30 June 2022.

Component Cents per unit

| Component | Cents per unit |
|--------------------------------|----------------|
| Fund payment (refer to Note 1) | 30.00 |

The fund payment, being the payment from which an amount would have been required to be withheld under Subdivision 12-H of Schedule 1 to the *Taxation Administration Act 1953* (Cth) if the payment had been made to an entity covered by section 12-410 of that schedule, is 30.00 cents per unit (refer to Note 1) and relates to the income year ending 30 June 2022.

No part of the payment in respect of the year ending 30 June 2022 is attributable to a fund payment from a clean building MIT.

These components are provided solely for the purpose of the withholding MIT non-resident withholding tax under Subdivision 12-H of Schedule 1 to the *Taxation Administration Act 1953* (Cth) and the non-resident interest withholding tax under Subdivision 12-F of Schedule 1 to the *Taxation Administration Act 1953* (Cth), and should not be used for any other purpose.

The taxation components for the distributions for the year ending 30 June 2022 will be shown on the Annual Taxation Statement, which will be issued by the end of September 2022.

PLEASE NOTE: this information is provided to assist Custodians/Nominees and other MITs and not Australian resident individual investors.

NOTE 1

The fund payment amount is calculated in accordance with Subdivision 12-H of Schedule 1 to the *Taxation Administration Act 1953* (Cth). This subdivision deals with distributions from MITs to foreign residents.

The Responsible Entity (RE) of a MIT must withhold tax from “fund payment” amounts in respect of distributions it makes during an income year. In determining the amount of the fund payment relating to a particular distribution, the RE of a MIT is required to take into account earlier fund payments made during the current year and changes in circumstances as the financial year progresses. The fund payment amount calculated under Subdivision 12-H may not necessarily be the same as the cash distribution paid.

The method of calculating the fund payment amount is different to the way that a MIT calculates its annual taxable and non-taxable components for income tax purposes. For example, the calculation of the fund payment amount does not include interest income or foreign source income. These amounts are however included in the calculation of the trust’s final annual taxable and non-taxable components for income tax purposes.

As a result of the calculation required under Subdivision 12-H, the amount of the fund payment determined by Waratah Funds Management Limited as RE of Waratah Hotel Fund for the FY2022 Special Distribution amounted to 30.00 cents per unit.

Securityholders should seek their own tax advice regarding the fund payment.