



16 January 2024

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

The following provides details of the components of the Waratah Hotel Group distribution for the quarter ended 31 December 2023 (period ended 31 December 2023). The distribution is 2.00 cents per stapled security for the period and will be paid on 18 January 2024.

Waratah Hotels Limited

No dividend was declared for the period ended 31 December 2023.

Waratah Hotels No. 2 Limited

No dividend was declared for the period ended 31 December 2023.

Waratah Hotel Fund

Waratah Funds Management Limited, the Responsible Entity of Waratah Hotel Fund (the Trust), declares that the Trust is a withholding MIT in respect of its income year ending 30 June 2024. Waratah Funds Management Limited has made an election for the Trust to be an Attribution Managed Investment Trust (AMIT) from 1 July 2023, and gives the following notice to you as recipient of a payment of 2.00 cents per unit for the period ended 31 December 2023.

Component Cents per unit

Component	Cents per unit
Fund payment (refer to Note 1)	2.00

The fund payment relates to the income year ending 30 June 2024. The fund payment, is a payment from which an amount would have been required to be withheld under Subdivision 12A-B of Schedule 1 to the *Taxation Administration Act 1953* (Cth) and Subdivision 12-H of Schedule 1 of the *Taxation Administration Act 1953* (Cth) if the payment had been made to an entity covered by section 12-410 of that Schedule.

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.

No part of the fund payment in respect of the year ending 30 June 2024 is attributable to a payment from a clean building MIT.

The taxation components for the distributions for the year ending 30 June 2024 will be shown on the Attribution MIT Member Statement, which will be issued by the end of September 2024.

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 12A-B of Schedule 1 to the *Taxation Administration Act 1953* (Cth). This subdivision deals with distributions from AMITs to foreign residents.

The responsible entity (RE) of a withholding MIT that is an AMIT 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 the AMIT 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 12A-B 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 an AMIT 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.

Subdivision 12A-B requires any discount capital gains that form part of a distribution to be grossed up (doubled) in calculating the fund payment amount. Consequently, discount capital gains can in some cases result in the fund payment amount exceeding the actual cash distribution paid.

As a result of the calculation required under Subdivision 12A-B, the amount of the fund payment determined by Waratah Funds Management Limited as RE of Waratah Hotel Fund for the period ended 31 December 2023 amounted to 2.00 cents per unit.

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