



**Important Notice**  
The Depository Trust Company

<b>B #:</b>	20178-24
<b>Date:</b>	May 10, 2024
<b>To:</b>	All Participants
<b>Category:</b>	Tax Relief, Distributions
<b>From:</b>	International Services
<b>Attention:</b>	Operations, Reorg & Dividend Managers, Partners & Cashiers
<b>Subject:</b>	<p><b><u>Tax Relief</u></b> – Country: SWITZERLAND</p> <p><b><u>Security:</u></b> TEMENOS AG</p> <p><b><u>CUSIP:</u></b> 87974R208</p> <p><b><u>Record Date:</u></b> 05/13/2024</p> <p><b><u>Payable Date:</u></b> 05/24/2024</p>

**\*\*\*\*\*NOT CA WEB ELIGIBLE \*\*\*\*\***

Participants can use DTC’s Corporate Actions Web (CA Web) service to certify all or a portion of their position entitled to the applicable withholding tax rate. Participants are urged to consult TaxInfo respectively before certifying their instructions over the CA Web.

Important: Prior to certifying tax withholding instructions, participants are urged to read, understand and comply with the information in the Legal Conditions category found on TaxInfo on the CA Web.

Questions regarding this Important Notice may be directed to GlobeTax 212-747-9100.

**Important Legal Information:** *The Depository Trust Company (“DTC”) does not represent or warrant the accuracy, adequacy, timeliness, completeness or fitness for any particular purpose of the information contained in this communication, which is based in part on information obtained from third parties and not independently verified by DTC and which is provided as is. The information contained in this communication is not intended to be a substitute for obtaining tax advice from an appropriate professional advisor. In providing this communication, DTC shall not be liable for (1) any loss resulting directly or indirectly from mistakes, errors, omissions, interruptions, delays or defects in such communication, unless caused directly by gross negligence or willful misconduct on the part of DTC, and (2) any special, consequential, exemplary, incidental or punitive damages. To ensure compliance with Internal Revenue Service Circular 230, you are hereby notified that: (a) any discussion of federal tax issues contained or referred to herein is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties that may be imposed under the Internal Revenue Code; and (b) as a matter of policy, DTC does not provide tax, legal or accounting advice and accordingly, you should consult your own tax, legal and accounting advisor before engaging in any transaction.*

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**SWISS** issuer, **TEMENOS AG**, has announced a cash dividend and BNY Mellon acts as the sole depository bank for the Depository Receipt (“DR”) program.

On DR Pay Date, all holders received the dividend net of the full statutory 35% withholding tax. Eligible holders may claim back the difference between the 35% tax rate withheld and the most favorable rate available to the beneficial holder based upon their country of residence and entity type. By filing, Participants agree to the “**Agreements, Fees, Representations and Indemnification**” below.

All holders, resident in treaty eligible countries, may reclaim via the long form process. The “Eligibility Matrix” outlines the appropriate tax rate for various countries, as well as, the required documentation.

**\*\*NEW FOR 2024: DISCLOSURE OF BENEFICIAL OWNER ACCOUNT NUMBERS, UNIQUE PER LINE ITEM, IS NOW REQUIRED. EXCEPTIONS INCLUDE TRANSPARENT ENTITIES WHERE THE ACCOUNT NUMBER AT THE ENTITY LEVEL MAY BE PROVIDED. THE ACCOUNT NUMBER DISCLOSED ON ESP MUST MATCH EXACTLY HOW IT APPEARS ON THE BENEFICIAL OWNER’S CREDIT SLIP. FURTHER, A SCREENSHOT OF THE CREDIT SLIP MAY BE REQUESTED BY THE SWISS TAX AUTHORITY. FAILURE TO PROVIDE A CREDIT SLIP SCREENSHOT UPON REQUEST WILL RESULT IN SUSPENSION OF A BROKER’S ABILITY TO PARTICIPATE IN THE RAS/QR PROCESS. PLEASE READ FAQ AND REACH OUT IF YOU HAVE ANY ADDITIONAL QUESTIONS.**

**PLEASE NOTE THAT CLAIMS MAY POTENTIALLY BE AUDITED. THE SWISS FEDERAL TAX ADMINISTRATION MAY CHOOSE TO ASK FOR FURTHER INFORMATION WITHIN 3 YEARS OF A DIVIDEND EVENT. BY FILING FOR A RECLAIM, YOU AGREE TO COMPLY WITH ANY REQUESTS MADE BY THE TAX AUTHORITY. REQUESTS FOR FURTHER INFORMATION MAY INCLUDE, BUT ARE NOT LIMITED TO: FULL OWNERSHIP DISCLOSURE, TRANSACTION HISTORY INCLUDING BORROWING AND LENDING, AND CASH FLOW ANALYSIS OF ANY HEDGING TRANSACTIONS USING FINANCIAL DERIVATIVES.**

**THE SWISS FEDERAL TAX ADMINISTRATION HAS CONFIRMED THAT IRAs WILL NO LONGER BE ABLE TO RECLAIM AT THE EXEMPT RATE DUE TO THE DETERMINATION THAT THE “FORM 6166 EXCLUDES BENEFITS UNDER ARTICLE 10 (3) OF THE SWISS-US DOUBLE TAX TREATY.” PLEASE NOTE ALL IRA CLAIMS MUST BE SUBMITTED UNDER THE INDIVIDUAL ENTITY TYPE AND RECLAIM AT THE FAVORABLE RATE.**

**PLEASE NOTE THAT THE SWISS FEDERAL TAX ADMINISTRATION HAS DEEMED THE USE OF A P.O. BOX AND/OR C/O ADDRESS NOT VALID FOR ESTABLISHING RESIDENCY IN THE UNITED STATES. NO REFUND CAN BE CLAIMED IF ONLY A P.O. BOX AND/OR C/O ADDRESS IS USED. THE SWISS FEDERAL TAX ADMINISTRATION RESERVES THE RIGHT TO HAVE THE COMPETENT AUTHORITY IN THE UNITED STATES VERIFY THE RESIDENCE OR REGISTERED OFFICE ADDRESSES PROVIDED.**

## DIVIDEND EVENT MATRIX

ISSUE	CUSIP#	UNDERLYING ISIN	DR RECORD DATE	ORD PAY DATE	DR PAY DATE	RATIO (DR to ORD)	ORD RATE
TEMENOS AG	87974R208	CH0012453913	MAY 13, 2024	MAY 14, 2024	MAY 24, 2024	1 : 1	CHF 1.2

## FEES & DEADLINES

FILING METHOD	BATCH	PAYMENT METHOD	SHARE MINIMUM	CUSTODIAL FEE	DSC FEE	MINIMUM FEE PER BENEFICIAL OWNER	FINAL SUBMISSION DEADLINE
<b>LONG FORM</b>	POST PAY DATE; ONGOING	CHECK OR ACH	NO MINIMUM	NO FEE	UP TO \$0.01 PER ADR	\$25.00	DECEMBER 1, 2027

## Agreements, Fees, Representations and Indemnification from Participants and Beneficial Owners

This tax relief assistance service is wholly voluntary and discretionary and outside the terms and conditions of any applicable deposit agreement. BNY Mellon undertakes no duty or obligation to provide this service, and may reject or decline any or all proposed electing participants or holders in its sole discretion. We hereby accept and agree to pay the fees of BNY Mellon disclosed in the DTC Important Notice posted for this event and type of claim we are submitting (Long Form) and any other charges, fees or expenses payable by or due to BNY Mellon or its agents, including the (respective) custodian, in connection with the tax reclaim process, or to tax authorities or regulators (which fees, charges or expenses may be deducted from the dividend or any other distribution or by billing or otherwise in BNY Mellon's discretion). We hereby agree that any such fees, charges or expenses may be due and payable whether or not a successful reduction in rate or reclamation is obtained. We hereby acknowledge that fees paid to BNY Mellon may be shared with its agents and affiliates.

We hereby agree in addition to statutory and documentation requirements, and the deduction of fees, tax relief benefits will be subject to review and approval, and potential audits by the applicable custodian and applicable tax regulators, and that BNY Mellon is not providing any legal, tax, accounting or other professional advice on these matters and has expressly disclaimed any liability whatsoever for any loss howsoever arising from or in reliance hereto. Participants and/or investors should seek advice based upon their own particular circumstances from an independent tax advisor.

We certify to the best of our knowledge that each of the beneficial owners identified are eligible for the preferential rates as stated and we declare that we have performed all the necessary due diligence to satisfy ourselves as to the accuracy of the information submitted to us by these beneficial owners. Furthermore, in the event of an audit we agree to provide any and all documentation required by the respective Tax Authority.

We will be fully liable for any and all claims, penalties and / or interest, including without limitation, any foreign exchange fluctuations associated therewith. BNY Mellon shall not be liable for the failure to secure any tax relief. We expressly agree that BNY Mellon and its agents or affiliates shall not have any liability for, and we shall indemnify, defend and hold each of BNY Mellon and its agents and affiliates harmless from and against, any and all loss, liability, damage, judgment, settlement, fine, penalty, demand, claim, cost or expense (including without limitation fees and expenses of defending itself or enforcing this agreement) arising out of or in connection herewith.

By using this tax relief assistance service, you are authorizing and directing the disclosure of your personal information to the tax agent, the custodian, the tax authority and their respective agents. You acknowledge and agree that such disclosure may involve your personal data being sent to a tax agent, custodian, tax authority and their respective agents located in a country outside of that in which you reside.

In the event that the General Data Protection Regulation 2016/679 (GDPR) or similar laws apply with regard to this tax relief assistance service, we certify that each of the beneficial owners identified, in providing this information and as indicated by Owner's signature below, expressly consents to the processing and transfer of their personal data outside of their country of residence. BNY Mellon will retain personal data in accordance with the GDPR and for further information about our data protection policies and procedures please refer to our Data Protection Policy, which can be found at <https://www.bnymellon.com/emea/en/privacy-policy.html>.

## ELIGIBILITY MATRIX

**Note: All information related to eligibility and documentation requirements can be found on the [ESP](#) site by visiting the relevant event and viewing the Eligibility Matrix. If you need access to ESP, please complete the [New User Registration](#) form, and our team of market experts would be pleased to help you get set up.**

**For each Country's general Eligibility Matrix, please see ESP's [Reference Guide](#).**

BNY Mellon offers ESP powered by GlobeTax, an electronic withholding tax submission system. This system allows for the secure and simplified transfer of beneficial owner level data from the Participant to GlobeTax and creates applicable documentation on the Participants' behalf.

Submit the data online through the web site below, print out the documents on letterhead, sign them, and mail them to GlobeTax, along with the necessary required documents.

These claims should be submitted through the following website.

<https://ESP.GlobeTax.com>

Please contact us via the [ESP Service Desk](#) at 212-747-9100 if you have any questions about this process.

## CONTACT DETAILS

DOMESTIC PHONE (U.S.)	1-800-915-3536
DOMESTIC FAX (U.S.)	1-800-985-3536
INTERNATIONAL PHONE	1-212-747-9100
INTERNATIONAL FAX	1-212-747-0029
GROUP EMAIL	<a href="mailto:SWITZERLANDESP@GLOBETAX.COM">SWITZERLANDESP@GLOBETAX.COM</a>
COMPANY	GLOBETAX SERVICES INC.
STREET ADDRESS	ONE NEW YORK PLAZA - 34TH FLOOR
CITY/STATE/ZIP	NEW YORK, NY 10004

## FREQUENTLY ASKED QUESTIONS (FAQs)

### GENERAL QUESTIONS

What is the statute of limitations for filing Swiss reclaims?	It is at the end of the year, 3 years from the record date. Please see the Fees & Deadlines matrix for more details on when the submission deadlines are.
Are there any additional eligibility requirements I should know about?	Yes. If the beneficial owner is engaged in a trade or business in Switzerland or has a permanent establishment in Switzerland, they are ineligible to claim through this process.
For non-U.S. claims, can I submit a stand-alone certification of residence rather than have the tax form signed by the beneficial owner's local tax office?	No, unless the tax authority of the beneficiary's country of residence does not provide stamp certification. The Swiss do not accept any forms for non-U.S. entities that are not signed by the beneficial owner's local tax office.
Will BNY Mellon accept claims filed directly to them by the beneficial owners?	BNY Mellon will only accept claims filed by the DTC participant who was holding the securities through DTC and only to the extent that DTC has reported these holdings to us as valid record date holdings. Beneficial owners are required to file their claims through the custody chain to the DTC participant of record. All claims not received directly from the DTC participant will be returned to the beneficial owner.

<p><b>Is this long form process free of charge?</b></p>	<p>No. This tax reclaim assistance service is wholly voluntary, discretionary, and outside the terms and conditions of any applicable deposit agreement. Fees will be charged for this assistance service of up to \$0.01 per depository receipt for standard long form reclaims with a minimum of \$25.00. Reclaims received post deadline cannot be assured and may be subject to a per beneficiary fee as well as other charges, fees or expenses payable by or due to BNY Mellon or its agents, including the custodian or tax authorities. In addition, charges may apply to any long form claims rejected or not accepted by the custodian. Fees paid to BNY Mellon may be shared with its agents and affiliates.</p>
<p><b>Why are account numbers being requested?</b></p>	<p>The SFTA reserves the right to request additional information to support your claim; this includes, but is not limited to, receiving confirmation that the payment was made to the beneficial owner's account which was provided during your ESP Submission.</p> <p>Any broker who does not comply with the request will be blocked from future submissions.</p>
<p><b>Can I provide partial account numbers?</b></p>	<p>No, partial account numbers are not accepted. The SFTA requires the full account number of the beneficial owner. The account number provided on ESP must match exactly to the account provided on the credit slip.</p>
<p><b>Will I be requested to provide credit slips for all of my clients?</b></p>	<p>No. It will be a small sample size but not less than one.</p>
<p><b>What is a credit slip?</b></p>	<p>A credit slip is a screenshot, or file, which validates the payment of the dividend into the beneficial owner's account.</p>

***Warning and Disclaimer:***

BNY Mellon will not be responsible for the truth or accuracy of any submissions received by it and all Participants and holders, whether or not following the procedures set forth herein or otherwise submitting any information, agree to indemnify and hold harmless BNY Mellon and their agents for any and all losses, liabilities and fees (including reasonable fees and expenses of counsel) incurred by any of them in connection herewith or arising herefrom. BNY Mellon and their agents will be relying upon the truth and accuracy of any and all submissions received by them in connection with the tax relief process and shall hold all participants and DR holders liable and responsible for any losses incurred in connection therewith or arising there from. There is no guarantee that the applicable tax authorities will accept submissions for relief. Neither BNY Mellon nor their agents shall be responsible or liable to any holders of DRs in connection with any matters related to, arising from, or in connection with the tax relief process described herein. See also “**Agreements, Fees, Representations and Indemnification**” above.

All tax information contained in this Important Notice is based on a good faith compilation of information obtained and received from multiple sources. The information is subject to change. Actual deadlines frequently vary from the statutory deadlines because of local market conditions and advanced deadlines set by local agents. To mitigate risk it is strongly advised that DTC Participants file their claims as soon as possible as the depository and/or their agents will not be liable for claims filed less than six months before the specified deadline. In the event that local market rules, whether implemented by a local agent or a Tax Authority, conflict with the information provided in the important notice, either prior to or after publication, the local market rules will prevail.