

# IMPORTANT NOTICE

**The Depository Trust Company**



**B#:** 6829-10  
**Date:** May 28, 2010  
**To:** All Participants  
**Category:** Dividends  
**From:** International Services  
**Attention:** Operations, Reorg & Dividend Managers, Partners & Cashiers  
**Subject:** TaxRelief - Country: Italy  
Davide Campari Milano CUSIP: 23857W105  
Record Date: 05/26/10 Payable Date: 06/14/10  
EDS Opening Date: 05/27/10 EDS Cut-Off Date: 06/29/10

Participants can use DTC's Elective Dividend System (EDS) function over the Participant Terminal System (PTS) or TaxRelief option on the Participant Browser System (PBS) web site to certify all or a portion of their position entitled to the applicable withholding tax rate.

Questions regarding this Important Notice may be directed to GlobeTax.

**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.*

Non-Confidential

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**Davide Campari Milano** has announced a cash dividend in respect to fiscal year 2009.

On ADR Pay Date, all holders will receive this dividend net of the full Italian statutory withholding tax rate of 27%.

Subsequent to the payment date on which the dividend less the 27% withholding tax will be paid, beneficial owners may reclaim the difference between the statutory rate and the beneficial owner's rate of entitlement by submitting the required documentation to GlobeTax.

There will be **one deadline to submit documentation**. The EDS election process will open on May 27, 2010, and close on June 29, 2010 the first and final "quick refund" deadline. The refunds will be converted to USD at the prevailing exchange rate on the day the refund is received.

DIVIDEND EVENT DETAILS	
COUNTRY OF ISSUANCE	ITALY
ISSUE	DAVIDE CAMPARI MILANO
CUSIP#	23857W105
DEPOSITARY	UNSPONSORED
ADR RECORD DATE	May 26, 2010
ADR PAY DATE	June 14, 2010
ADR GROSS DIVIDEND RATE ON PAY DATE	0.03 €
ORD GROSS DIVIDEND RATE	0.06 €
RATIO	1 ORD : 2 ADR
STATUTORY WHT RATE	27.00%

### CHARGES & DEADLINES

BATCH	PAYMENT METHOD	DEPOSITARY SERVICE CHARGE	MINIMUM SERVICE CHARGE PER BENEFICIAL OWNER	DEADLINE
PRIMARY AND FINAL "QUICK REFUND" BATCH	EDS	\$0.005 per ADR Maximum charge of 40% of the reclaim amount.	\$25	June 29, 2010

Any additional fees charged by the Italian custodian will be passed along to the beneficiary and extracted from the tax refund payment.

### LONG-FORM

BATCH	PAYMENT METHOD	DEPOSITARY SERVICE CHARGE	MINIMUM SERVICE CHARGE PER BENEFICIAL OWNER	DEADLINE
LONG-FORM RECLAIMS	CHECK	\$0.005 per ADR Maximum charge of 40% of the reclaim amount.	\$25	May 1, 2014

Long form claims will only be accepted after the final "quick refund" window has closed. We encourage beneficiaries to file long form only as a last resort alternative to "quick refund". The Italian tax authorities have up to ten years from date of receipt to payout long form claims. This important notice does not contain instruction or the required exhibit forms to file long-form claims.

## ELIGIBILITY MATRIX

RATE DESCRIPTION	RECLAIM RATE	ELIGIBLE RESIDENTS	DOCUMENTATION REQUIRED
<b>EXEMPT - 0% ITALIAN CORPORATE ENTITIES</b>	<b>27%</b>	ITALIAN CORPORATE ENTITIES	1) COVER LETTER 2) VISURA CAMERALE
<b>EXEMPT - 0% RESIDENTS OF KUWAIT</b>	<b>27%</b>	(INDIVIDUALS) KUWAIT	1) COVER LETTER 2) CERTIFICATE OF RESIDENCE 3) FORM DIV.I_09.01
<b>EXEMPT - 0% RESIDENTS OF KUWAIT</b>	<b>27%</b>	(NON INDIVIDUALS) KUWAIT	1) COVER LETTER 2) CERTIFICATE OF RESIDENCE 3) FORM DIV.C_09.01
<b>FAVORABLE- 1.375%</b>	<b>25.625%</b>	EU/EEA CORPORATE ENTITIES (See "Appendix A")	1) COVER LETTER 2) EU CORPORATE CERTIFICATE OF RESIDENCE 3) FORM DIV.C_09.01
<b>FAVORABLE - 10%</b>	<b>17%</b>	(INDIVIDUALS) ALBANIA, ARMENIA, BULGARIA, C.I.S. (ex USSR), CHINA, ETHIOPIA, GEORGIA, HUNGARY, MALAYSIA, OMAN, POLAND, ROMANIA, RUSSIA, SINGAPORE, TANZANIA, UZBEKISTAN, VENEZUELA, YUGOSLAVIA, SYRIA	1) COVER LETTER 2) CERTIFICATE OF RESIDENCE 3) FORM DIV.I_09.01
<b>FAVORABLE - 10%</b>	<b>17%</b>	(NON INDIVIDUALS) ALBANIA, ARMENIA, BULGARIA, C.I.S. (ex USSR), CHINA, ETHIOPIA, GEORGIA, HUNGARY, MALAYSIA, OMAN, POLAND, ROMANIA, RUSSIA, SINGAPORE, TANZANIA, UZBEKISTAN, VENEZUELA, YUGOSLAVIA, SYRIA	1) COVER LETTER 2) CERTIFICATE OF RESIDENCE 3) FORM DIV.C_09.01
<b>FAVORABLE - 11%</b>	<b>16%</b>	EU/EEA PENSION FUNDS (See "Appendix A")	1) COVER LETTER 2) EU PENSION CERTIFICATE OF RESIDENCE 3) FORM CLAIM_PENSION FUNDS
<b>FAVORABLE - 14.5%</b>	<b>12.5%</b>	ITALIAN NON-CORPORATE ENTITIES	1) COVER LETTER 2) COPY OF ITALIAN IDENTITY CARD
<b>FAVORABLE - 15%</b>	<b>12%</b>	(INDIVIDUALS) U.S., U.K., CANADA, AUSTRALIA, JAPAN, NEW ZEALAND, ALGERIA, ARGENTINA, AUSTRIA, BANGLADESH, BELGIUM, BRAZIL, CYPRUS, CZECH REPUBLIC, DENMARK, ECUADOR, ESTONIA, FINLAND, FRANCE, GERMANY, GREECE, INDONESIA, IRELAND, ISRAEL, IVORY COAST, KAZAKHSTAN, LITHUANIA, LUXEMBOURG, MACEDONIA, MALTA, MAURITIUS, MEXICO, MOROCCO, MOZAMBIQUE, NETHERLANDS, NORWAY, PHILIPPINES, PORTUGAL, SENEGAL, SLOVAKIA, SOUTH AFRICA, SOUTH KOREA, SPAIN, SRI LANKA, SWEDEN, SWITZERLAND, TUNISIA, TURKEY, UKRAINE, U.A.E., VIETNAM, ZAMBIA	1) COVER LETTER 2) CERTIFICATE OF RESIDENCE 3) FORM DIV.I_09.01

## ELIGIBILITY MATRIX CONTINUED

RATE DESCRIPTION	RECLAIM RATE	ELIGIBLE RESIDENTS	DOCUMENTATION REQUIRED
FAVORABLE - 20%	7%	(INDIVIDUALS) THAILAND, TRINIDAD AND TOBAGO	1) COVER LETTER 2) CERTIFICATE OF RESIDENCE 3) FORM DIV.I_09.01
FAVORABLE - 20%	7%	(NON INDIVIDUALS) THAILAND, TRINIDAD AND TOBAGO	1) COVER LETTER 2) CERTIFICATE OF RESIDENCE 3) FORM DIV.C_09.01
FAVORABLE 25%	2%	(INDIVIDUALS) INDIA, PAKISTAN	1) COVER LETTER 2) CERTIFICATE OF RESIDENCE 3) FORM DIV.I_09.01
FAVORABLE 25%	2%	(NON INDIVIDUALS) INDIA, PAKISTAN	1) COVER LETTER 2) CERTIFICATE OF RESIDENCE 3) FORM DIV.C_09.01

## DESCRIPTION OF VARIOUS DOCUMENTATION

DOCUMENT NAME	DESCRIPTION	ORIGINAL / COPY	SIGNATURE REQUIREMENT
VISURA CAMERALE	Copy of an Italian identity card “Visura Camerale” issued to the Italian company holding shares on record date. A “Visura Camerale” can be obtained through the Italian tax authorities	COPY	NONE
COVER LETTER (EXHIBIT 1)	Listing of Beneficial Owner information.	ORIGINAL	DTC PARTICIPANT
CERTIFICATION OF RESIDENCE	Must be for the same tax year of the dividend and must be dated prior to the pay date. The forms DIV.I_09.01 and DIV.C_09.01 can also be certified by a local tax authority in section II part A in lieu of a stand alone COR.	ORIGINAL	LOCAL TAX AUTHORITY
FORM DIV.I_09.01 (EXHIBIT 2)	This application MUST be printed out as SINGLE PAGE DOUBLE SIDED DOCUMENT.	ORIGINAL	BENEFICIAL OWNER SIGNATURE
FORM DIV.C_09.01 (EXHIBIT 3)	This application MUST be printed out as TWO PAGES OF DOUBLE SIDED DOCUMENTS  Companies not resident in a country listed in “Appendix A” of this notice must fill in “PART A” of Section I.  Companies resident in a country listed in “Appendix A” of this notice must fill in “PART B” of	ORIGINAL	BENEFICIAL OWNER SIGNATURE
FORM CLAIM_PENSION FUNDS (EXHIBIT 4)	This application form must be printed on the claimants letterhead.	ORIGINAL	BENEFICIAL OWNER SIGNATURE
EU CORPORATE CERTIFICATE OF RESIDENCE	An original COR for the tax year of the dividend provided that that form is dated prior to the pay date and mentions that the beneficial owner is subject to “Article 2 of Directive 90/435/EEC July 1990”. The form DIV.C_09.01 can also be certified by a local tax authority in section II part B in lieu of a stand alone COR.	ORIGINAL	LOCAL TAX AUTHORITY
EU PENSION CERTIFICATE OF RESIDENCE	An original COR for the tax year of the dividend provided that that form is dated prior to the pay date and explicitly states that the beneficial owner is a pension.	ORIGINAL	LOCAL TAX AUTHORITY
IRS FORM 6166	Must be certified for the tax year of the dividend, dated prior to the local pay date, and contain the wording “...for purposes of U.S. taxation”.	ORIGINAL	IRS REPRESENTATIVE

## AN IMPORTANT NOTE ABOUT REQUIREMENTS CONCERNING POWER OF ATTORNEY AND EXHIBIT 5 (SELF CERTIFIED POA) OF THIS NOTICE

### Signing Exhibits 2, 3, and 4 on behalf of the Beneficial Owner:

Exhibits 2, 3, and 4 must contain an ORIGINAL signature from the beneficial owner. GlobeTax strongly urges that an original client signature is obtained for these forms.

If a signature cannot be obtained from the beneficial owner, a representative may sign on their behalf if and only if the following is submitted:

1. An ORIGINAL Power of Attorney signed by the beneficial owner to the entity signing on their behalf, **notarized and apostilled**.

#### OR THE FOLLOWING:

1. A copy of EITHER a Power of Attorney (POA), a Trust Agreement, or a Custody Agreement signed by the beneficial owner to the entity signing on their behalf, **notarized and apostilled**.
2. An ORIGINAL Exhibit 5 (Self Certified Power of Attorney), printed on the letterhead of the signing entity authorized on the copy of the POA, Trust Agreement, or Custody Agreement. Signed by the individual who will be signing the 2, 3, or 4 the beneficial owner's behalf.
3. A list of signatures from the DTC that includes the representative signing the Exhibit 5 (Self Certified Power of Attorney).

### MINIMUM SHARE AMOUNT REQUIRED TO FILE A CLAIM

#### (CLAIMS RECEIVED BELOW THE FILING MINIMUM WILL BE REJECTED)

BENEFICIAL OWNER'S WITHHOLDING TAX RATE OF ENTITLEMENT	RATE OF RECLAIM	MINIMUM # OF ADRS REQUIRED TO FILE (BASED OFF AN APPROX. EXCHANGE RATE OF 1.250 USD PER €)
0.00%	27.00%	2,470.00
1.375%	25.625%	2,600.00
10.00%	17.00%	3,925.00
11.00%	16.00%	4,167.00
14.50%	12.50%	5,335.00
15.00%	12.00%	5,555.00
20.00%	07.00%	9,525.00
25.00%	02.00%	33,333.00

### CONTACT DETAILS

PRIMARY CONTACT	GINA SERODA
INTERNATIONAL PHONE	1-212-747-9100
INTERNATIONAL FAX	1-212-747-0029
EMAIL ADDRESS	GINA_SERODA@GLOBETAX.COM
COMPANY	GLOBETAX
STREET ADDRESS	90 BROAD STREET 16 <sup>TH</sup> FLOOR
CITY/STATE/ZIP	NEW YORK, NY 10004
ADDITIONAL CONTACT	GREGGORY LEWIS

***Warning and Disclaimer:***

***The information and data contained in this Notice is based on information obtained from multiple sources believed to be reliable. However, The Bank of New York Mellon, Citibank, Deutsche Bank Trust Company Americas, J.P. Morgan, and its agents do not warrant or guarantee the accuracy or completeness of, nor undertake to update or amend, this information or data. We and our agents expressly disclaim any liability whatsoever for any loss howsoever arising from or in reliance upon any of this information or data. The information contained in this Notice is subject to change, including in the and subject to discretion of third parties, and/or pre-emption or being superseded by local market rules, and practices or actions taken by non-U.S. agents or tax authorities. Deadlines often differ from statutory deadlines. You should file claims as soon as possible, and at least six months prior to the specified deadline.***

## Appendix A

**LIST OF COUNTRIES WHERE CORPORATE ENTITIES MAY BENEFIT FROM THE APPLICATION OF THE 1.375% ITALIAN WITHHOLDING TAX RATE, AND PENSIONS MAY BENEFIT FROM THE 11.00% ITALIAN WITHHOLDING TAX RATE:**

### EU member states

- Austria
- Belgium
- Bulgaria
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden
- United Kingdom

### European Economic Area (EEA)

- Norway

(EXHIBIT 1)  
SAMPLE FORMAT FOR COVER LETTER  
CLAIMS WILL NOT BE ACCEPTED WITHOUT THIS COVER LETTER ON DTC PARTICIPANT LETTERHEAD

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[DATE]

GlobeTax  
90 Broad Street – 16<sup>th</sup> Floor  
New York, NY 10004-2205  
Attn: Davide Campari Milano

Enclosed please find tax reclamation documents, which we are submitting on behalf of our clients who wish to avoid excess withholding tax on Italian ADRs. We, \_\_\_\_\_ [NAME OF DTC PARTICIPANT] \_\_\_\_\_, also identified as DTC participant number [DTC PARTICIPANT NUMBER], hereby state that each beneficial owner cited below held the respective amount of shares on the record date of May 26, 2010 for the security Davide Campari Milano - (CUSIP: 23857W105).

Below is the list of beneficial owners and their holdings, which total [TOTAL # OF ADRs CITED BELOW] ADRs. As required, original certification of residency documents (Form 6166), a Certification, and Power of Attorney if necessary are included for each beneficial owner. The ratio is 2 ADR to 1 Ordinary shares. The information is as follows:

<u>Name and address of beneficial owner</u>	<u>Taxpayer I.D. #</u>	<u># of ADRs held</u>	<u># Ordinary shares held</u>
1)			
2)			
3)			
4) etc.			

We ask that Globe Tax, apply to the Italian depository bank for the reduced withholding tax rate on the above beneficial owners' behalf. Please contact the undersigned at [SIGNATORY'S TELEPHONE NUMBER] should you have any questions.

**Indemnification**

In consideration of the services provided by BNY Mellon, Citibank, Deutsche Bank Trust Company Americas, and J.P. Morgan contemplated hereby and the assistance provided by the issuer of the shares underlying the ADRs (the "Issuer"), we agree to indemnify, defend, hold and save BNY Mellon, Citibank, Deutsche Bank Trust Company Americas, and J.P. Morgan, the Issuer and their respective affiliates, and the respective directors, offices, agents and employees of BNY Mellon, Citibank, Deutsche Bank Trust Company Americas, and J.P. Morgan, the Issuer and each of their affiliates from and against any and all costs, damages or liabilities (including, without limitation, tax payments, interest charges, penalties or other costs assessed by relevant tax and administrative authorities, and the reasonable fees and disbursements of counsel), and any of them, arising out of or relating to the information provided by the undersigned in, or in connection with, this document.

Sincerely,

\_\_\_\_\_  
[Signature of authorized signatory for DTC Participant]  
[NAME AND TITLE OF AUTHORIZED OFFICER FOR DTC PARTICIPANT]

PAYMENT ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Withholding Tax relief form for individuals

*Richiesta di attestazione per l'applicazione della ritenuta ridotta su dividendi distribuiti da società Italiane*  
**Request for the application of the reduced withholding tax on dividends distributed by Italian companies**

Dichiarazione presentata da \_\_\_\_\_ in virtù del Trattato contro le doppie imposizioni tra la Repubblica Italiana e \_\_\_\_\_

**Declaration presented by \_\_\_\_\_ according to the Convention for the avoidance of double taxation between Italy and \_\_\_\_\_**

*Sezione I: dichiarazione del beneficiario ovvero del rappresentante legale o volontario*  
**Section I: statement of the beneficiary or its legal or voluntary representative**

*Il beneficiario / The beneficiary*

Cognome  
Surname

Nome  
Name

Sesso  
Sex

M  F

Dati di nascita  
Date of birth

Città di nascita  
City of birth

Stato di nascita  
Country of birth

*Codice fiscale (se assegnato)*

**Tax identification number (if applicable) \_\_\_\_\_**

*Domicilio fiscale (indirizzo completo)*

**Fiscal domicile (full address)**

Città  
City

Stato  
Country

*dichiara / declares:*

1. *di essere residente in \_\_\_\_\_ in virtù del Trattato contro le doppie imposizioni in vigore tra la Repubblica Italiana e \_\_\_\_\_*  
**to be resident in \_\_\_\_\_ according to the Convention for the avoidance of double taxation between Italy and \_\_\_\_\_**
2. *di essere il beneficiario effettivo dei dividendi;*  
**to be the beneficial owner of the dividends ;**
3. *di non avere una stabile organizzazione o una base fissa in Italia cui si ricolleghi effettivamente la partecipazione generatrice dei dividendi;*  
**to have not in Italy a permanent establishment or a fixed base with which the holding in respect of which the dividends are paid is effectively connected;**
4. *che le informazioni sopra indicate sono veritiere e corrette;*  
**that the above mentioned information are true and correct;**

### Withholding Tax relief form for individuals

*Richiesta di attestazione per l'applicazione della ritenuta ridotta su dividendi distribuiti da società Italiane*  
**Request for the application of the reduced withholding tax on dividends distributed by Italian companies**

5. *che comunicherà immediatamente ogni nuova circostanza che osti all'applicazione del Trattato contro le doppie imposizioni.*

**that any new circumstance that may affect the application of the Convention for the avoidance of the double taxation will be immediately communicated.**

*Si autorizza Société Générale Securities Services S.p.A. a conservare l'originale di questo documento presso i propri uffici a disposizione delle competenti autorità fiscali.*

**We hereby authorize Société Générale Securities Services S.p.A. to keep the original documents in their records at the disposal of the competent tax authorities.**

\_\_\_\_\_  
*Luogo e data*  
**Place and date**

\_\_\_\_\_  
*Firma del beneficiario*  
**Signature of the beneficiary**

\_\_\_\_\_  
*Nome del rappresentante legale o volontario*  
**Name of the legal or voluntary representative**

\_\_\_\_\_  
*Firma del rappresentante legale o volontario*  
**Signature of the legal or voluntary representative**

*Sezione II: ad uso esclusivo dell'autorità fiscale estera*  
**Section II: foreign tax authorities' use only**

*Si attesta che il beneficiario indicato nella Sezione I del presente modello è residente in \_\_\_\_\_ ai sensi del Trattato contro le doppie imposizioni in vigore tra la Repubblica Italiana e \_\_\_\_\_*

**We hereby declare that the beneficial owner as stated in Section I of this form is resident in \_\_\_\_\_ according to the Convention for the avoidance of double taxation between Italy and \_\_\_\_\_**

*Si attesta, inoltre, che le dichiarazioni contenute nel presente modello sono esatte per quanto risulta a questa Amministrazione.*

**We hereby confirm that the statements supplied in this form are true as to this Administration's knowledge.**

\_\_\_\_\_  
*Ufficio Fiscale Competente*  
**Name of Tax Authority's Office**

\_\_\_\_\_  
*Indirizzo*  
**Full address**

\_\_\_\_\_  
*Data e Luogo*  
**Date and Place**

\_\_\_\_\_  
*Timbro e Firma*  
**Stamp and Signature**

**WithholdingTax relief form for companies**

*Richiesta di attestazione per l'applicazione della ritenuta ridotta su dividendi distribuiti da società Italiane*  
**Request for the application of the reduced withholding tax on dividends distributed by Italian companies**

*Sezione I: dichiarazione del beneficiario ovvero del rappresentante legale*

**Section I: statement of the beneficiary or its legal representative**

*Il beneficiario*

**The beneficiary** \_\_\_\_\_

*Domicilio fiscale del beneficiario (indirizzo completo)*

**Fiscal domicile of beneficiary (full address)**

*Città*

**City**

*Stato*

**Country**

*Codice fiscale (se assegnato)*

**Tax identification number (if applicable)** \_\_\_\_\_

*Rappresentante legale (nome)*

**Legal representative (name)** \_\_\_\_\_

*Domicilio fiscale del rappresentante legale (indirizzo completo)*

**Fiscal domicile of legal representative (full address)**

*Città*

**City**

*Stato*

**Country**

*Dati di nascita*

**Date of birth** \_\_\_\_\_

*Codice fiscale (se assegnato)*

**Tax identification number (if assigned)** \_\_\_\_\_

**PLEASE FLAG THE APPROPRIATE REQUEST OPTION ("A" and/or "B").**

**Part "A" (request for the DTA rate)**

*Dichiarazione presentata da soggetti residenti in \_\_\_\_\_ in virtù del Trattato  
contro le Doppie Imposizioni in vigore tra la Repubblica Italiana e \_\_\_\_\_*

**Declaration by companies resident in \_\_\_\_\_ according to the Convention for  
the avoidance of Double Taxation between Italy and \_\_\_\_\_**

*dichiara / declares:*

## WithholdingTax relief form for companies

*Richiesta di attestazione per l'applicazione della ritenuta ridotta su dividendi distribuiti da società Italiane*  
**Request for the application of the reduced withholding tax on dividends distributed by Italian companies**

*di essere il beneficiario finale<sup>1</sup> dei redditi derivanti dai titoli depositati nei conti terzi aperti, o che saranno aperti, in SGSS S.p.A*

**to be the final beneficial owner of the incomes deriving from the securities held into the Third Parties Accounts which are o will be opened with SGSS S.p.A.**

*di essere residente in \_\_\_\_\_ in virtù del Trattato contro le Doppie Imposizioni in vigore tra la Repubblica Italiana e \_\_\_\_\_*

**to be resident in \_\_\_\_\_ according to the Convention for the avoidance of Double Taxation between Italy and \_\_\_\_\_**

*di non svolgere attività industriale o commerciale in Italia per mezzo di una stabile organizzazione<sup>1</sup> cui si ricollegli effettivamente la partecipazione generatrice dei dividendi.*

**not to carry out any industrial or commercial activity in Italy by means of a permanent establishment<sup>1</sup> with which the holding on which the dividends are paid is effectively connected.**

- end of Part "A" -

### Part "B" (request for the tax rate provided by the Italian Budget Law 2008)

*Dichiarazione presentata da soggetti residenti in \_\_\_\_\_ ai sensi del combinato disposto degli Artt. 27 co. 3-ter e 27-ter del D.P.R. 600 /1973, come modificati dall'Art. 1 co. 67 della L. 244 del 24.12.2007<sup>(1)</sup>*

**Declaration by companies resident in \_\_\_\_\_ according to Art. 27 sub. 3-ter and Art. 27-ter of D.P.R. 600/1973, as amended by Law n. 244 of December 24, 2007<sup>(1)</sup>**

<sup>(1)</sup>Available for profits earned starting from the business year that follows the one in progress on December 31, 2007.

*dichiara / declares:*

- 1) *di essere residente in \_\_\_\_\_ (paese dell'Unione Europea ovvero aderente all'Accordo sullo Spazio Economico Europeo incluso nella "White List" redatta ai sensi dell'Art. 168-bis del D.P.R. 917/1986);*
  - 2) *di essere soggetto ad un'imposta sul reddito delle società nel proprio paese di residenza;*
  - 3) *di essere il beneficiario finale<sup>1</sup> dei redditi derivanti dai titoli depositati nei conti terzi aperti, o che saranno aperti, in SGSS S.p.A*
  - 4) *di non svolgere attività industriale o commerciale in Italia per mezzo di una stabile organizzazione<sup>1</sup> cui si ricollegli effettivamente la partecipazione generatrice dei dividendi.*
- 1) **to be resident in \_\_\_\_\_ (EU country or country in European Economic Area included in the "White List" issued by Decree, in accordance with Art. 168-bis of the D.P.R. 917/1986);**
  - 2) **to be subject to corporate taxation in its country of residence;**
  - 3) **to be the final beneficial owner of the incomes deriving from the securities held into the Third Parties Accounts which are o will be opened with SGSS S.p.A.**
  - 4) **not to carry out any industrial or commercial activity in Italy by means of a permanent establishment with which the holding on which the dividends are paid is effectively connected.**

- end of Part "B" -

<sup>1</sup> "beneficiario finale" è il soggetto (persona fisica o persona giuridica) cui il reddito è fiscalmente imputabile.

"final beneficial owner" means the person (physical or juridical) to which the incomes are chargeable from a fiscal point of view.

**Withholding Tax relief form for companies**

*Richiesta di attestazione per l'applicazione della ritenuta ridotta su dividendi distribuiti da società Italiane*  
**Request for the application of the reduced withholding tax on dividends distributed by Italian companies**

*dichiara / declares:*

*che comunicherà immediatamente ogni nuova circostanza che osti all'applicazione del Trattato contro le Doppie Imposizioni, ovvero all'applicazione dell'aliquota ridotta ai sensi dell'Art. 27 co. 3-ter del D.P.R. 600/1973 ;*

**that any new circumstance that may affect the application of the Convention for the avoidance of the Double taxation or the application of the reduced rate pursuant to Art. 27 sub. 3-ter of D.P.R. 600/1973, will be immediately communicated;**

*che le informazioni sopra indicate sono veritiere e corrette.*

**that the above mentioned information is true and correct.**

*Si autorizza Société Générale Securities Services a conservare l'originale di questo documento presso i propri uffici a disposizione delle competenti Autorità Fiscali.*

**We hereby authorize Société Générale Securities Services to keep the original documents in their records at the disposal of the competent Tax Authorities.**

\_\_\_\_\_  
*Luogo e data*  
**Place and date**

\_\_\_\_\_  
*Timbro e firma del beneficiario o del rappresentante legale*  
**Stamp and signature of the beneficiary or legal representative**

\_\_\_\_\_  
*Timbro e firma del delegato*  
**Stamp and signature of the qualified proxyholder**

\_\_\_\_\_  
*Nome e cognome del rappresentante del delegato*  
**First name and surname of the signatory for the qualified proxyholder**

*Sezione II: ad uso esclusivo dell'autorità fiscale estera*  
**Section II: foreign tax authorities' use only**

**Part "A"**

*Si attesta che il beneficiario indicato nella Sezione I del presente modello è residente in \_\_\_\_\_ ai sensi del Trattato contro le Doppie Imposizioni in vigore tra la Repubblica Italiana e \_\_\_\_\_*

**We hereby declare that the beneficial owner as stated in Section I of this form is resident in \_\_\_\_\_ according to the Convention for the avoidance of Double Taxation between Italy and \_\_\_\_\_**

*- end of Part "A" -*

**Part "B"**

*Si attesta che il beneficiario indicato nella Sezione I del presente modello è residente in \_\_\_\_\_ ed è soggetto ad un'imposta sul reddito delle società nel proprio paese di residenza (cfr. Sezione I, Parte B) 2).*

**WithholdingTax relief form for companies**

*Richiesta di attestazione per l'applicazione della ritenuta ridotta su dividendi distribuiti da società Italiane*  
**Request for the application of the reduced withholding tax on dividends distributed by Italian companies**

**We hereby declare that the beneficiary stated in Section I of this form is resident in \_\_\_\_\_ end is subject to corporate taxation in its country of residence (see Section I, Part "B" 2).**

*- end of Part "B" -*

*Si attesta, inoltre, che le dichiarazioni contenute nel presente modello sono esatte per quanto risulta a questa Amministrazione.*

**We hereby confirm that the statements supplied in this form are true as to this Administration' s knowledge.**

\_\_\_\_\_  
*Ufficio Fiscale Competente*  
**Name of Tax Authority's Office**

\_\_\_\_\_  
*Indirizzo*  
**Full address**

\_\_\_\_\_  
*Città*  
**City**

\_\_\_\_\_  
*Stato*  
**Country**

\_\_\_\_\_  
*Data*  
**Date**

\_\_\_\_\_  
*Timbro*  
**Stamp**

\_\_\_\_\_  
*Firma*  
**Signature**

1 Ai fini della Convenzione, l'espressione 'stabile organizzazione' designa una sede fissa d'affari in cui l'impresa esercita in tutto o in parte la sua attività. L'espressione 'stabile organizzazione' comprende in particolare: a) una sede di direzione; b) una succursale; c) un ufficio; d) una officina; e) un laboratorio; f) una miniera o giacimento petrolifero o di gas naturale, una cava o altro luogo di estrazione di risorse naturali; g) un cantiere di costruzione è considerato 'stabile organizzazione' solamente se oltrepassa i dodici mesi.

1 For the purposes of this Convention, the term 'permanent establishment' means a fixed place of business in which the business of an enterprise is wholly or partly carried on. The term 'permanent establishment' shall include especially: a) a place of management; b) a branch; c) an office; d) a factory; e) a workshop; f) a mine, an oil or gas well, a quarry or any other place of extraction or exploitation of natural resources; g) a building site or construction or assembly project which exists for more than twelve months.



**(EXHIBIT 5)**  
**DTC Participant Letter Head**

Date:

Power of Attorney

The undersigned (name of legal representative) is hereby authorized by the (DTC Participant name) to sign on behalf of our client (Beneficial Owner Name) in processing Italian Tax Reclaims. Declares, for the purpose of requesting that the Italian Tax Administration refund the excess Italian tax contribution assessed on income withheld at its source.

This Power of Attorney shall remain in effect until terminated by either party providing five days prior written notice of its intent to terminate to the other party.

Company Name: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Stamp with Company stamp or seal)

Depository #: DTC #\_\_\_\_\_

\_\_\_\_\_  
Signature of legal representative

Name: (of legal rep.)

Title:

Date:

Place: