

# Currency Term Deposit

## Japanese Appendix

This is the Japanese Appendix to, and forms part of, the Currency Term Deposit Terms and Conditions Australia of the Commonwealth Bank of Australia (“Bank”) and applies where Japanese Eligible Investors make a Currency Term Deposit with the Bank.

### 1. Definitions and interpretation

#### 1.1 Definitions

In this Appendix, unless the context requires otherwise:

**Japanese Eligible Investor** means a person or entity which falls under the category of Qualified Institutional Investor (*tekikaku kikan touchika*) (as defined in Article 2, paragraph 3, item 1 of the Financial Instruments and Exchange Act (*kin'yuu shouhin torihiki hou*) (Act No. 25 of 1948, as amended)).

#### 1.2 Interpretation

Capitalised terms or phrases which are used in this Appendix but not defined in clause 1.1 above have the meanings given to them in the Currency Term Deposit Terms and Conditions Australia.

### 2. Japanese Eligible Investors only

Currency Term Deposits are only offered to Japanese Eligible Investors in Japan, and they have not been, directly or indirectly, offered or sold and will not be, directly or indirectly, offered or sold to, or for the benefit of, anyone who is not a Japanese Eligible Investor.

### 3. Depositor Protection

Currency Term Deposits are not eligible for deposit insurance coverage as set out in Article 53 of the Deposit Insurance Act (*yokin hoken hou*) (Act no. 34 of 1971, as amended).

### 4. Interest Withholding Tax

Japanese tax resident investors will be subject to Australian interest withholding tax at the rate of 10% unless:

- You are eligible for exemptions provided to sovereign entities, or
- You are lending to the Bank from an Australian permanent establishment, or
- You are exempt from Australian interest withholding tax because You are eligible for the benefits provided to a “financial institution” in Article 11 of the Convention between Australia and Japan for the Avoidance of Double Taxation.

If you are not a Japanese tax resident (for example, You are a Tokyo permanent establishment of a European bank), You may be entitled to the benefits of a Double Tax Treaty that reduces Australian interest withholding tax.

If You believe that a reduction may be applicable to You, You should discuss your reasoning with your Global Markets representative or relationship manager.

A Currency Term Deposit is not eligible for any Australian tax law exemptions, such as Section 128F of the Income Tax Assessment Act 1936.