

Dodd-Frank Requirements

Date: 1 January 2022



This Schedule contains the terms and conditions agreed between us in relation to Dodd-Frank and transactions in derivatives subject to Dodd-Frank requirements.

The terms and conditions of any Product Agreements and any agreements that we enter into as a supplement to relevant Product Agreements shall prevail over this Schedule to the extent of the inconsistency.

Any terms used but not defined in this Schedule shall have the meaning set out in Westpac's Terms of Business for Professional Clients and Eligible Counterparties (the "Terms of Business")

- (a) Westpac Banking Corporation ("**Westpac**") is a provisionally registered Swap Dealer with the U.S. Commodity Futures Trading Commission ("**CFTC**") and is subject to certain obligations under Dodd-Frank.
- (b) As a non-U.S. Swap Dealer under Dodd-Frank, Westpac must apply Dodd-Frank requirements to U.S. clients and certain non-U.S. clients depending on their nexus to the U.S.
- (c) If you are engaging in activities that are subject to the jurisdiction of the CFTC, you are required to complete the Cross-Border Swaps Representation Letter (August 19, 2013) or the ISDA U.S. Self-Disclosure Letter (January 15, 2021) (each, a "**Letter**") that was published by the International Swaps and Derivatives Association, Inc. ("**ISDA**") in order to confirm whether you are a U.S. person or a non-U.S. person that is an affiliate conduit, an entity guaranteed by a U.S. person, or a swap dealer or major swap participant (a "**Swap Entity**") that is a significant risk subsidiary ("**SRS**") based on the definitions in the Letter you are completing. You are required to do this, even if you are not a U.S. person or a non-U.S. person that is an affiliate conduit, an entity guaranteed by a U.S. person, or Swap Entity that is an SRS in which case you must indicate that you do not fall within one of those categories.
- (d) You can submit the completed Letter and select Westpac as a counterparty recipient via ISDA Amend on www.Markit.com, without cost.
- (e) If you are a U.S. person or a non-U.S. person that books swaps in your U.S. branch, we will need you to adhere to both the ISDA August 2012 Dodd-Frank Protocol ("**Protocol 1.0**") and the ISDA March 2013 Dodd-Frank Protocol ("**Protocol 2.0**") and to deliver the questionnaires to Protocol 1.0 and Protocol 2.0 to Westpac via ISDA Amend.
- (f) If you are a Swap Entity that is an SRS, a non-U.S. person that is an affiliate conduit, or an entity guaranteed by a U.S. person, we will need you to adhere to Protocol 2.0 and deliver your questionnaire via ISDA Amend to Westpac. We will also need you to arrange for your U.S. guarantor to provide its Eligible Contract Participant representation ("**ECP Representation**") by either executing Westpac's ECP Representation letter or adhering to Protocol 1.0 and delivering its questionnaire to Westpac via ISDA Amend.
- (g) In addition, if you trade swaps that are subject to mandatory clearing with us (e.g., certain types of interest rate and/or credit default swaps) and you do not have a clearing agreement in place with us, please contact us requesting a clearing agreement (unless you are electing the end-user exception to the clearing requirement (which elections may be made in Protocol 2.0)). We will need you to execute a clearing agreement with us if you wish to continue entering into swaps that are subject to mandatory clearing with us.



- (h) If you represent in the Letter you completed that you are not a U.S. person but are an affiliate conduit or are entering into swap transactions with us that are supported by a U.S. person guarantee and are entering into interest rate or credit default swaps that are subject to mandatory clearing and you do not have a Cleared Derivatives Execution Agreement ("**CDEA**") in place with us, please execute a CDEA following the process described in the preceding paragraph.



