

Ex-Date : Nov 29, 2024

## SECURITIES AND EXCHANGE COMMISSION

### SEC FORM 17-C

#### CURRENT REPORT UNDER SECTION 17 OF THE SECURITIES REGULATION CODE AND SRC RULE 17.2(c) THEREUNDER

1. Date of Report (Date of earliest event reported)  
Nov 6, 2024
2. SEC Identification Number  
0000086335
3. BIR Tax Identification No.  
000-417-352-000
4. Exact name of issuer as specified in its charter  
Monde Nissin Corporation
5. Province, country or other jurisdiction of incorporation  
Philippines
6. Industry Classification Code(SEC Use Only)
7. Address of principal office  
Feix Reyes Street, Barangay Balibago, City of Santa Rosa, Laguna  
Postal Code  
4026
8. Issuer's telephone number, including area code  
+63277597595
9. Former name or former address, if changed since last report  
N/A
10. Securities registered pursuant to Sections 8 and 12 of the SRC or Sections 4 and 8 of the RSA

Title of Each Class	Number of Shares of Common Stock Outstanding and Amount of Debt Outstanding
Common	17,968,611,496

11. Indicate the item numbers reported herein  
Item 9 - Other Events

*The Exchange does not warrant and holds no responsibility for the veracity of the facts and representations contained in all corporate disclosures, including financial reports. All data contained herein are prepared and submitted by the disclosing party to the Exchange, and are disseminated solely for purposes of information. Any questions on the data contained herein should be addressed directly to the Corporate Information Officer of the disclosing party.*



Monde Nissin

## Monde Nissin Corporation MONDE

**PSE Disclosure Form 6-1 - Declaration of Cash Dividends**  
*References: SRC Rule 17 (SEC Form 17-C) and  
Sections 6 and 4.4 of the Revised Disclosure Rules*

### Subject of the Disclosure

Declaration by MONDE of Cash Dividends on Outstanding Common Shares

### Background/Description of the Disclosure

At its November 6, 2024 meeting, MONDE's Board of Directors approved the declaration and distribution of cash dividends to stockholders of record as of December 2, 2024, amounting to Php 0.14 per common share, payable on or before December 27, 2024.

### Type of Securities

Common	
Preferred	N/A
Others	N/A

### Cash Dividend

Date of Approval by Board of Directors	Nov 6, 2024
Other Relevant Regulatory Agency, if applicable	N/A
Date of Approval by Relevant Regulatory Agency, if applicable	N/A
Type (Regular or Special)	Regular
Amount of Cash Dividend Per Share	PhP 0.14/share
Record Date	Dec 2, 2024
Payment Date	Dec 27, 2024

### Source of Dividend Payment

Unrestricted retained earnings as of September 30, 2024

**Other Relevant Information**

This disclosure is accompanied by the following attachments:

1. Cover letter addressed to the SEC and to the PSE re: declaration of cash dividends by Monde Nissin Corporation on November 6, 2024;
2. SEC Form 17-C re: declaration of cash dividends by Monde Nissin Corporation on November 6, 2024; and
3. Notice to Stockholders re: withholding tax rates on dividends for the November 6, 2024 cash dividend declaration.

**Filed on behalf by:**

<b>Name</b>	Jon Edmarc Castillo
<b>Designation</b>	Chief Compliance Officer



MONDE NISSIN CORPORATION

Felix Reyes Street  
Brgy. Balibago, Sta. Rosa City  
4026 Laguna

21<sup>st</sup> Floor, 6750 Office Tower  
Ayala Avenue  
1223 Makati

Tel: (+632) 7759 7500  
[www.mondenissin.com](http://www.mondenissin.com)

November 6, 2024

Securities and Exchange Commission  
The SEC Headquarters  
7907 Makati Avenue, Salcedo Village  
Bel-Air, Makati City

Attention: **Director Rachel Esther J. Gumtang-Remalante**  
Corporate Governance & Finance Department

**Director Oliver O. Leonardo**  
Markets & Securities Regulation Department

The Philippine Stock Exchange, Inc.  
6/F, PSE Tower  
5<sup>th</sup> Avenue corner 28<sup>th</sup> Street  
Bonifacio Global City, Taguig City

Attention: **Atty. Stefanie Ann B. Go**  
PSE Disclosures Department

Subject: **Cash Dividend Declaration**

Ladies and Gentlemen:

Please be informed that on November 6, 2024, Monde Nissin Corporation's ("MONDE's") Board of Directors ("Board") approved the declaration, out of MONDE's Unrestricted Retained Earnings as of September 30, 2024, of cash dividends on our outstanding common shares at Php 0.14 per share for stockholders of record as of December 2, 2024, and payable on or before December 27, 2024.

Under MONDE's Amended By-Laws, cash dividend payouts are paid via electronic platforms, *e.g.*, through direct bank transfers and the like, as may be decided by our Board. MONDE shall request stockholders to provide account details or other reference number/s needed for the transfer. Stockholders unable to provide account details or other reference numbers shall receive their dividend payout by check, which will be available for pick-up at designated offices as will be communicated through corresponding announcements.

Thank you very much.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Helen G. Tiu'.

Helen G. Tiu  
Corporate Secretary and Chief Legal Counsel

SECURITIES AND EXCHANGE COMMISSION

SEC FORM 17-C

CURRENT REPORT UNDER SECTION 17  
OF THE SECURITIES REGULATION CODE  
AND SRC RULE 17.2(c) THEREUNDER

1. **November 6, 2024**  
Date of Report (Date of earliest event reported)
2. SEC Identification Number **0000086335**
3. BIR Tax Identification No. **000-417-352-000**
4. **Monde Nissin Corporation**  
Exact name of issuer as specified in its charter
5. **Republic of the Philippines**  
Province, country or other jurisdiction of incorporation
6.  (SEC Use Only)  
Industry Classification Code
7. **Felix Reyes St., Brgy. Balibago, Santa Rosa City, Laguna**  
Address of principal office
- 4026  
Postal Code
8. **(02) 7759 7595**  
Issuer's telephone number, including area code
9. **Not applicable**  
Former name or former address, if changed since last report
10. Securities registered pursuant to Sections 8 and 12 of the SRC or Sections 4 and 8 of the RSA

Title of Each Class

Number of Shares of Common Stock  
Outstanding and Amount of Debt  
Outstanding

**Common**

**17,968,611,496**

11. Indicate the item numbers reported herein: **Item 9. Other Events**

<b>Subject of the Disclosure</b>	Declaration of Cash Dividends on Outstanding Common Shares
<b>Background/Description of the Disclosure</b>	In its November 6, 2024 meeting, MONDE's Board of Directors approved the declaration of a cash dividend to stockholders of record as of December 2, 2024 for Php 0.14 per common share, payable on or before December 27, 2024.

**Type of Securities**

<input checked="" type="checkbox"/> Common
<input type="checkbox"/> Preferred
<input type="checkbox"/> Others

**Cash Dividend**

<b>Date of Approval by Board of Directors</b>	November 6, 2024
<b>Other Relevant Regulatory Agency, if applicable</b>	N/A
<b>Date of Approval by Relevant Regulatory Agency, if applicable</b>	N/A
<b>Type (Regular or Special)</b>	Regular
<b>Amount of Cash Dividend Per Share</b>	Php 0.14/share
<b>Record Date</b>	December 2, 2024
<b>Payment Date</b>	December 27, 2024

<b>Source of Dividend Payment</b>
Unrestricted Retained Earnings as of September 30, 2024

## SIGNATURES

Pursuant to the requirements of the Securities Regulation Code, the issuer has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**MONDE NISSIN CORPORATION**  
Issuer

**November 6, 2024**  
Date



**JESSE C. TEO**  
Chief Financial Officer

## NOTICE TO STOCKHOLDERS

### Tax-Related Guidelines for Cash Dividends Distribution

This notice is being issued by Monde Nissin Corporation (“**Monde**”) to guide stockholders in relation to the withholding taxes on cash dividend distributions to be made by Monde for stockholders as of the Record Date of 02 December 2024, and payable on 27 December 2024.

#### PART I GENERAL RULE

##### A. Applicable Final Withholding Tax Rates:

Any cash dividends to be distributed shall be subject to the following final withholding tax rates in accordance with the Philippine National Internal Revenue Code (the “**Tax Code**”):

Stockholder Classification	Final Withholding Tax Rate
Individual citizen	10%
Individual resident alien	10%
Individual non-resident alien engaged in trade or business in the Philippines	20%
Individual non-resident alien not engaged in trade or business in the Philippines <ul style="list-style-type: none"><li>• not availing of the tax treaty relief</li><li>• availing of the tax treaty relief</li></ul>	25% Preferential rate under the applicable tax treaty (10% to 25%)
Domestic corporation	0%
Resident foreign corporation	0%
Non-resident foreign corporation <ul style="list-style-type: none"><li>• not availing of the tax treaty relief</li><li>• availing of the tax treaty relief</li><li>• availing of the tax sparing rate</li><li>• availing of the tax exemption</li></ul>	25% Preferential rate under the applicable tax treaty (10% to 25%) 15% 0%

There may be certain stockholders entitled to (i) tax exemption or (ii) reduced withholding taxes on dividends pursuant to the relevant tax treaty, the tax sparing rules under Section 28(B)(5)(b) of the Tax Code or tax exemption provisions of the Tax Code or other special laws, or (iii) a tax ruling issued by the Bureau of Internal Revenue (“**BIR**”) in their favor.

##### B. Supporting Documentary Requirements to be submitted By Stockholder Based on Claimed Tax Classification

Monde shall require the following supporting documents *vis-à-vis* the taxpayer classification claimed by the Stockholder and shall withhold tax on cash dividends based on the following table:

Taxpayer Classification Claimed by Stockholder	Supporting Documents to be Submitted by Stockholder	Final Withholding Tax Rate	
		With Supporting Documents	Without Supporting Documents/With Incomplete Supporting Documents/Late Submission of Supporting Documents
1. Individual Citizen	Certification from Brokers/Trading Participants/Custodian Banks	10%	25%
2. Individual Resident Alien	Certification from Brokers/Trading Participants/Custodian Banks	10%	25%
3. Individual non-resident alien engaged in trade or business in the Philippines	Certification from Brokers/Trading Participants/Custodian Banks	20%	25%
4. Individual non-resident alien <b>not</b> engaged in trade or business in the Philippines availing of tax treaty relief	<ul style="list-style-type: none"> <li>a. Original BIR Form 0901-D (Application For Treaty Purposes Form) with proof of receipt by concerned office of the BIR; <i>and</i></li> <li>b. Original consularized/apostilled Tax Residency Certificate duly issued by the foreign tax authority of the country of residence of the Stockholder; <i>and</i></li> <li>c. Relevant provision of the tax treaty providing for the claimed preferential rate; <i>and</i></li> <li>d. Original notarized (if executed in the Philippines) or consularized/apostilled (if executed abroad) Affidavit of Undertaking; <i>and</i></li> <li>e. Confirmation acceptable to Monde that the Stockholder is not doing business in the Philippines e.g., certification</li> </ul>	Preferential rate under the applicable tax treaty (10% to 25%)	25%

	from Philippine Department of Trade and Industry that non-resident individual stockholder is not registered to do business in the Philippines Please also refer to discussion under Part II.		
5. Individual non-resident alien not engaged in trade or business in the Philippines not availing of the tax treaty relief	None	Not Applicable	25%
6. Domestic corporation	Certification from Brokers/Trading Participants/Custodian Banks	0%	25% [default tax rate based on the rate for non-resident foreign corporation]
7. Philippine Retirement Funds	Certification from Brokers/Trading Participants/Custodian Banks	0%	10%
8. Resident foreign corporation	Certification from Brokers/Trading Participants/Custodian Banks	0%	25%
9. Non-resident foreign corporation (or non-individual stockholder) availing of the tax treaty relief	Please refer to discussion under Part II.	Preferential rate under the applicable tax treaty (10% to 25%)	25%
10. Non-resident foreign corporation (or non-individual stockholder)	Please refer to discussion under Part III.	15%	25%

availing of the tax sparing rate			
11. Non-resident foreign corporation (or non-individual stockholder) availing of tax exemption under the Tax Code or special laws	<p>a. Current and valid BIR-CTC of tax exemption certificate, ruling or opinion issued by the BIR dated no earlier than required to be considered valid under applicable tax regulations at the relevant time) addressed to the Stockholder confirming its exemption from the final withholding tax;</p> <p>b. Any document providing that it is owned by (i) a foreign government, (ii) financing institutions owned, controlled, or enjoying refinancing from foreign governments, or (iii) international or regional financial institutions established by foreign governments (Section 32(B)(7), Tax Code); and</p> <p>c. Original Notarized (if executed in the Philippines) or consularized/apostilled (if executed abroad) Affidavit of Undertaking (please refer to Annex C to this Notice to Stockholders)</p>	0%	25%
12. Non-resident foreign corporation (non-individual shareholder) not availing of the tax treaty relief or tax sparing	None	25%	25%
13. Trust Funds	Underlying constitutive document of the trust fund; please refer to supporting documents applicable to taxpayer classification claimed by Trust Fund, <i>e.g.</i> , domestic corporation, retirement funds etc.	Please refer to tax rates under applicable taxpayer classification claimed	Not Applicable

**PART II**  
**NON-RESIDENT FOREIGN STOCKHOLDERS CLAIMING**  
**ENTITLEMENT TO A PREFERENTIAL TAX TREATY RATE**

The Philippine BIR – International Tax Affairs Division (“**BIR-ITAD**”) has prescribed a certain procedure for claiming tax treaty benefits for dividend income of non-resident foreign stockholders pursuant to Revenue Memorandum Order (“**RMO**”) No. 14-2021 and Revenue Memorandum Circular (“**RMC**”) No. 77-2021. The use of the preferential rates shall be done through withholding final taxes at applicable tax treaty rates.

Any foreign stockholder claiming entitlement to a preferential tax rate on the dividend income under a tax treaty with the Republic of the Philippines must submit the following documents to Monde no later than the close of business day (Manila Time) fifteen (15) days before the declared dividend payout date, unless a different period is prescribed after a specific dividend declaration:

- a. Duly accomplished BIR Form 0901-D Application for Treaty Purposes (Relief from Philippine Income Tax on Dividends) also known as Tax Treaty Relief Application (“TTRA”);
- b. Original authenticated/apostilled Tax Residency Certificate duly issued by the foreign tax authority of the country of the Stockholder (with an English translation thereof if in foreign language);
- c. For any non-individual foreign stockholder, the original CTC of Certificate of Non-Registration (to do business in the Philippines) of the Stockholder duly issued by the Philippine SEC certified by the SEC or a competent officer of the Stockholder; For any individual foreign stockholder, the original Certificate of Non-Registration (to do business in the Philippines) issued by the Philippine Department of Trade and Industry with respect to such Stockholder;
- d. Certification under oath by the custodian banks/depository account holders/broker dealers stating in detail the legal and beneficial owners of all issued and outstanding shares of the Stockholder under its account or custody, its subscription or date/s of acquisition, percentage of ownership and the allocation of dividend;
- e. Authenticated/apostilled copy of the Stockholder’s Articles/Memorandum of Incorporation/Association, or equivalent constitutive document confirming its establishment or incorporation (with an English translation if in foreign language);
- f. Proof acceptable to Monde that the shareholding in Monde in respect of which the dividends are paid is not effectively connected with the permanent establishment/s of the foreign Stockholder in the Philippines; and
- g. Original, notarized (if executed in the Philippines) or consularized/apostilled (if executed abroad) Affidavit of Undertaking (please refer to form of Affidavit of Undertaking under **Annex C**) under which the Stockholder undertakes to indemnify Monde in case its TTRA is denied by the BIR.

Upon submission of the documents above, the Stockholder shall be deducted a withholding tax using the preferential tax treaty rate. Please note that the Stockholder’s failure or inability to submit to Monde the foregoing documents within the time prescribed will result in Monde withholding and remitting the taxes to the BIR at the applicable regular withholding tax rates and not under the preferential tax treaty rates.

If the income of the non-resident stockholder has been subjected to regular rates, the non-resident Stockholder may file a claim for refund of the difference between the amount of withholding tax actually paid and the amount of tax that should have been paid under the tax treaty after obtaining a certificate from the BIR-ITAD confirming such stockholder’s entitlement to treaty benefits. Non-resident foreign stockholders may avail of lower preferential tax treaty rates with respect to these dividends by filing the complete set of documentary requirements for the TTRA with the BIR-ITAD. Please refer to **Annex A** for the list of the documentary requirements in connection with a TTRA.

**PART III**  
**NON-RESIDENT FOREIGN NON-INDIVIDUAL/CORPORATE STOCKHOLDERS**  
**CLAIMING ENTITLEMENT TO THE TAX SPARING RATE OF 15%**

A non-resident foreign non-individual/corporate stockholder may avail of the lower tax sparing rate of 15% under Section 28(B)(5)(b) of the Tax Code with respect to dividends from Monde if such stockholder is domiciled in a country which either (a) allows as a credit against the tax due from the nonresident foreign non-individual stockholders taxes deemed to have been paid in the Philippines equivalent to 10% which represents the difference between the regular income tax rate of 25% and the 15% tax on dividends or (b) does not impose any tax on foreign sourced dividends (“Tax Sparing Rule”).

To avail of the 15% rate under the Tax Sparing Rule, the non-resident foreign non-individual/corporate stockholder must file a *Request for Confirmation* (“**RFC**”) with complete supporting documents with the BIR-ITAD. Please refer to **Annex B** for the list of documentary requirements in connection with an RFC as provided under RMO No. 46-2020.

Any nonresident foreign non-individual/corporate stockholder claiming entitlement to the Tax Sparing Rule’s 15% rate on the dividend income shall be required to submit the following documents to Monde no later than close of business day (Manila time) fifteen (15) days before the declared dividend payout date, unless a different period is prescribed after a specific dividend declaration

- a. A copy of current, valid and subsisting BIR ruling/opinion or Certificate of Confirmation specifically addressed to the Stockholder confirming its entitlement to use the Tax Sparing Rule which BIR ruling or confirmation is certified under oath as true copy by a competent officer of the Stockholder; and
- b. An original notarized (if executed in the Philippines) or consularized/apostilled (if executed abroad) Affidavit of Undertaking (please refer to form of Affidavit of Undertaking under **Annex C**) under which the Stockholder undertakes to indemnify Monde in case the BIR denies it the applicability of the Tax Sparing Rule with respect to the relevant dividend payout.

Upon submission of the documents above, the Stockholder shall be deducted a withholding tax using the preferential 15% tax rate under the Tax Sparing Rule. Please note that the Stockholder’s failure or inability to submit to Monde the foregoing documents within the time prescribed will result in Monde withholding and remitting the taxes at the applicable regular withholding tax rates and not the 15% rate under the Tax Sparing Rule.

If the income of the non-resident non-individual/corporate stockholder has been subjected to regular rates, such stockholder may file a claim for refund of the difference between the amount of withholding tax actually paid and the amount of tax that should have been paid under the Tax Sparing Rule after obtaining a certificate from the BIR-ITAD confirming such stockholder’s entitlement to 15% rate under the Tax Sparing Rule.

Stockholders claiming entitlement to preferential or zero tax rates on dividends described in Parts I, II and III above should send the required documents to Monde no later than **13 December 2024, 5:00 pm (Manila time)** by an internationally-recognized express parcel delivery service to the following address:

Atty. Leo San Juan  
*Philippines, Tax Head*  
Monde Nissin Corporation  
21<sup>st</sup> Floor, 6750 Office Tower  
Ayala Avenue, Makati City  
Metro Manila  
1223 Philippines

It is the responsibility of the Stockholder that such parcels will actually be delivered to and reach Monde by the prescribed deadline. Concurrently, such Stockholders are also requested to send in advance .pdf copies of the documents that they will courier to Monde to both email addresses below:

leo.sanjuan@mondenissin.com  
kristine.carlos@mondenissin.com

Furthermore, once the BIR-ITAD issues the applicable Certificate of Entitlement or BIR-ITAD ruling granting the application of a lower than regular or a zero withholding tax rate, or ruling granting the exemption application or confirming the RFC or approving the TTRA, a copy thereof certified under oath as true copy by a competent officer of the Stockholder must also be transmitted to Monde through an internationally-recognized express parcel delivery service within five (5) days from such Stockholder's receipt thereof. At the same time, such Stockholder is requested to send in advance a .pdf copy of the same to the same email addresses provided above.

To ensure compliance with the BIR requirements to qualify for tax treaty relief or tax sparing rate or tax exemption, the actual filing of said applications with the BIR-ITAD or BIR (including the submission of the relevant documentary requirements) will be best undertaken with the assistance of a local Philippine counsel or tax consultant engaged by the Stockholder on his/its own account. Please be advised that the stockholders' engagement of a local counsel or consultant will entail the payment of legal or consultancy fees, as applicable, which shall be for the account of the Stockholder.

If you have any questions, kindly email your queries at [leo.sanjuan@mondenissin.com](mailto:leo.sanjuan@mondenissin.com) and [kristine.carlos@mondenissin.com](mailto:kristine.carlos@mondenissin.com).

## LIST OF REQUIREMENTS FOR TAX TREATY RELIEF APPLICATION

### General requirements

1. Letter-request;
2. BIR Form No. 0901-D (Application for Treaty Purposes [Relief from Philippine Income Tax on Dividends]) or Tax Treaty Relief Application (“**TTRA**”) duly signed by the nonresident income recipient or its/his/her authorized representative accompanied, if applicable, by Notarized Special Power of Attorney issued by the non-resident income recipient to his/her/its authorized representative(s), which shall expressly state the authority to sign the TTRA and/or to file the TTRA or request for confirmation;
3. Original copy of the apostilled/duly authenticated Tax Residency Certificate (“**TRC**”) for the relevant period <sup>1</sup>, duly issued by the tax authority of the foreign country in which the income recipient is a legal resident;
4. Bank documents/certificate of deposit/telegraphic transfer/telex/money transfer evidencing the payment/remittance of income;
5. Withholding tax return with Alphalist of Payees;
6. Proof of payment of withholding tax;
7. Authenticated/apostilled copy of the nonresident legal person’s Articles/Memorandum of Incorporation/Association, Trust Agreement, or equivalent document confirming its establishment or incorporation, with an English translation thereof if in foreign language certified as true copy by a competent governmental authority or by the stockholder or by a competent officer of the non-resident stockholder (if applicable); and
8. Original copy of the Certificate of **Non-Registration** to do business in the Philippines of Stockholder duly issued by the Securities and Exchange Commission for nonresident non-individual Stockholder or original copy of the Certificate of **Non-Registration** to Do Business duly issued by the Department of Trade and Industry (DTI)”) for nonresident individuals.

### Additional general requirements for a fiscally transparent or pass through entity

1. An authenticated or apostilled copy of the law of the foreign country showing that tax is imposed on the owners or beneficiaries of the foreign fiscally transparent entity certified by a member of the legal profession in good standing in said foreign country;
2. An authenticated or apostilled copy of the list of owners/beneficiaries of the foreign entity certified by the custodian or trustee of said foreign entity;
3. Proof of ownership of the foreign entity certified under oath by the custodian or trustee of said foreign entity; and
4. An authenticated or apostilled copy of the TRC duly issued by the relevant foreign tax authority to the owners or beneficiaries of the fiscally transparent entity.

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<sup>1</sup> This is a requirement for each taxable year.

## Specific requirements

1. Board of Directors' resolution approving the issuance of dividends, which shall include the amount of dividends, and dates of declaration, record and payment, among others;
2. Certification under oath by the corporate secretary for certificated shares or by the custodian banks/depository account holders/broker dealers (as applicable) for scripless shares stating in detail the legal and beneficial owners of all issued and outstanding shares as of record date, their corresponding subscriptions, date/s of acquisition, percentage of ownership and the allocation of dividend;
3. Certified true copy of the audited financial statements ("AFS") of the dividend payor/withholding agent as of the taxable year immediately preceding the date of declaration, which was duly filed with the BIR and SEC;
4. General Information Sheet of the domestic corporation for the year immediately preceding the date of declaration; and
5. Proof that the shareholding in respect of which the dividends are paid is not effectively connected with the permanent establishment of the foreign Stockholder/dividend recipient in the Philippines

**LIST OF REQUIREMENTS FOR REQUEST FOR CONFIRMATION  
ON TAX SPARING (“TS”) APPLICATION**

**A. General Requirements**

1. Letter-request which shall provide a background of the transaction, the relief sought and the legal basis;
2. Duly accomplished BIR Form No. 0901-TS (Application for the Reduced Rate on Intercompany Dividends Received by a Non-Resident Foreign Corporation (“NRFC”) from a Domestic Corporation) (“**Application-TS**”);
3. Original copy of the apostilled/duly authenticated Tax Residence Certificate issued by the tax authority of the country of domicile of the Stockholder;
4. Apostilled/duly authenticated copy of the Stockholder’s articles of incorporation or memorandum of association or equivalent constitutive document or proof of establishment in its country of residence certified by a competent governmental authority or a competent officer of the Stockholder;
5. Original copy of apostilled/duly authenticated Special Power of Attorney (SPA) issued by the Stockholder to its authorized representative giving the latter the authority to transact with the BIR (including to sign the Application-TS);
6. Certified true copy of the Board of Directors' resolution of the domestic corporation approving the issuance of dividends, which shall include the amount of dividends, and dates of declaration, record and payment, among others;
7. Original copy of the sworn statement executed by the corporate secretary of the domestic corporation for certificated shares or by the custodian banks/depository account holders/broker dealers (as applicable) for scripless shares stating the names of the legal and beneficial owners, if applicable, of all issued and outstanding shares as of record date, their corresponding subscriptions, date/s of acquisition, percentage of ownership and the allocation of dividend;
8. Certified true copy of the General Information Sheet (“**GIS**”) of the domestic corporation for the year or period immediately preceding the date of declaration, whichever is more applicable;
9. Certified true copy of Audited Financial Statements (“**AFS**”) of the domestic corporation stamped “received” by the BIR and Securities and Exchange Commission, which was used as the basis of such dividend declaration; and
10. Proof of remittance of the dividend payments.

## **B. Special Requirements**

### **If the dividend is taxable in the country of domicile**

1. Duly authenticated or apostilled copy of the current law of the country of domicile allowing a tax credit for taxes actually paid in the Philippines and for taxes deemed paid in the Philippines equivalent to at least 10% of the dividends<sup>2</sup> certified by a member of the legal profession in good standing in said country of domicile; and
2. Duly authenticated or apostilled copy of any document issued by, or filed with, the foreign tax authority showing the amount of deemed paid tax credit actually granted by the foreign tax authority<sup>3</sup>.

### **If the dividend is exempt from tax in the country of domicile**

1. A duly authenticated or apostilled certified true copy of the current law of the country of domicile issued by a member of the legal profession in good standing in said country of domicile<sup>4</sup>; and
2. A duly authenticated or apostilled copy of any document issued by the foreign tax authority confirming that nonresident foreign corporations or non-resident stockholders are exempted from income tax on dividends received from any foreign corporation, e.g., Philippine corporation.<sup>5</sup>

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<sup>2</sup> Must relate to the relevant taxable year when dividend was received by the Stockholder.

<sup>3</sup> Must relate to the relevant taxable year when dividend was received by the Stockholder.

<sup>4</sup> Must relate to the relevant taxable year when dividend was received by the Stockholder.

<sup>5</sup> Must relate to the relevant taxable year when dividend was received by the Stockholder.

**AFFIDAVIT OF UNDERTAKING (“Affidavit”)**

I, [Name of Individual Stockholder, citizenship, of legal age] or [Name of Authorized Representative, of legal age, [citizenship], [position occupied] of [Name of Legal Entity], a legal resident of [Country of Residence/Domicile] with address at [address] (the “**Stockholder**”), after having been duly sworn in accordance with law, hereby depose and state that:

1. The Stockholder represents and warrants to Monde Nissin Corporation (“**MONDE**”) that it is a [nature/description/taxpayer classification] specifically entitled to the tax benefits provided under {tax exemption basis including statutory provision, relevant provisions of the applicable tax treaty with the Philippines, or Bureau of Internal Revenue (“**BIR**”) Ruling} resulting in [description of tax benefit claimed].

2. The Stockholder represents and warrants that (a) it is entitled to the tax exemption or preferential withholding tax rate on dividend income from the cash dividends declared by MONDE; (b) its tax exemption or entitlement to preferential rate as described in Paragraph 1 above subsists and has not been cancelled or revoked; and (c) to the best of its knowledge (after due inquiry), the Stockholder is not aware of any event that will lead to the revocation or cancellation of its tax exemption or entitlement to the preferential withholding tax rate, as applicable;

3. The Stockholder undertakes and warrants that it shall (a) promptly provide such other documentary requirements as may be required by MONDE pursuant to relevant regulations or issuances of the BIR for purposes of claiming exemption or preferential withholding tax rates on dividend income and (b) promptly notify MONDE in writing of any change in circumstance, relevant treaty, foreign law or regulation that may or would result in the dividend income from MONDE being ineligible for the benefits described in Paragraph 1 above as claimed by the Stockholder;

4. The Stockholder undertakes to notify MONDE immediately of any order, ruling, amendment or supervening event that would result in the suspension or revocation or modification of the tax benefits described in Paragraph 1 above as claimed by the Stockholder;

5. The Stockholder hereby authorizes MONDE to rely solely on the representations it made under this Affidavit. In view of the tax benefits described under Paragraph 1 above, MONDE is hereby directed [not to withhold tax *or* to withhold at the preferential withholding tax rate (as applicable)] to the extent provided under the tax benefits claimed by the Stockholder under Paragraph 1 above;

6. The Stockholder hereby holds MONDE, its shareholders, directors, officers, employees, and agents (each, an “**Indemnified Party**”) free and harmless from any and all claims, losses, expenses, taxes, additions to tax, interest, surcharges, penalties or fines that any Indemnified Party may incur or be subjected to on account of its reliance on the representations, warranties and instructions provided by the Stockholder under this Affidavit or pursuant thereto.

7. The Stockholder hereby agrees to assume all risks and liabilities arising out of its representation that [it is a tax-exempt entity *or* it is a person entitled to the preferential withholding tax rate] as provided under Paragraph 1 of this Affidavit and its instructions to MONDE [not to

withhold any tax *or* to withhold using the preferential withholding tax rate] on the cash dividend income from MONDE.

8. In the event any assessment notice is issued against MONDE, despite presentation of the Stockholder's Tax Exempt/Treaty Entitlement supporting documents, the Stockholder shall (a) pay the amount of the assessment (including any interest, surcharges, penalties and other additions to tax) subject of the assessment notice within the prescribed period given by the BIR, (b) contest or protest such assessment, or (c) enter into a compromise agreement with the BIR, in all cases, without recourse to MONDE. The Stockholder shall indemnify and hold MONDE free and harmless from all tax obligations, interests, surcharges, penalties, fees, charges, and costs associated with the settlement of such final assessment notice.

9. Notwithstanding the submission by the Stockholder or the receipt by MONDE of the (a) documentary proof of the Stockholder's tax exempt status or entitlement to preferential withholding tax rate on dividend income and (b) this Affidavit, MONDE may, in its sole and reasonable discretion, determine that the Stockholder is taxable or not entitled to the preferential withholding tax rate, and accordingly apply the final withholding tax due on the Stockholder's cash dividend income from MONDE using the maximum applicable withholding tax rate.

\_\_\_\_\_  
*[Signature over Printed Name of Stockholder]*

or

[Name of Stockholder]

By:

\_\_\_\_\_  
*[Print Name of Authorized Representative  
Indicate Position of Authorized Representative]*

SUBSCRIBED AND SWORN to before me, this [date] at [place of execution], affiant exhibiting to me his competent evidence of identity as follows:

Name	Government Issued ID	Date & Place of Issue

Doc. No. \_\_\_\_\_;

Page No. \_\_\_\_\_;

Book No. \_\_\_\_\_;

Series of 2024.