JAMES HARDIE INDUSTRIES PLC (JHIplc)
INVESTOR GUIDE
FOR COMPLETING IRISH DIVIDEND WITHHOLDING TAX (DWT) FORMS

This guide is intended for beneficial owners of JHIplc shares who are not resident for tax purposes in Ireland and are eligible for exemption from DWT on dividends from JHIplc.

<u>This guide is of a general nature only and does not constitute legal, financial or tax advice. You must seek professional advice in respect of your specific situation.</u>

What is DWT?

Irish law requires DWT to be withheld from payment of dividends by Irish resident companies such as JHIplc, unless the beneficial owner holder complies with certain requirements (**Exemption Requirements**). The current rate of DWT is 25%. DWT is governed by Chapter 8A, Part 6 of the Taxes Consolidation Act 1997 of Ireland (as amended) (**Act**).

Why does this apply to me?

DWT is required to be withheld on JHIplc dividends unless the Exemption Requirements are met. Once you satisfy (and provided you continue to comply with) the Exemption Requirements, you will not be required to complete any further DWT forms until 31 December five years after your DWT form is completed (signed, dated and, if required, certified by your local tax authority). For purposes of clarity, you will cease to comply with the Exemption Requirements if any one of the following events occurs:

- the beneficial owner changes their address to a country that is not the same as their country of residence shown on your DWT form; or
- death of the beneficial owner; or
- where the beneficial owner is a company, that company goes into liquidation.

What are the Exemption Requirements?

You will be a ‘qualifying non-resident person’ and DWT will not be deducted from your JHIplc dividends if you meet each of the following criteria:

- you are the beneficial owner of JHIplc CHESS Units of Foreign Securities (**shares**); and
- you are resident as in a ‘relevant territory’ or, if you are a company which is not resident in a ‘relevant territory’, you are ultimately controlled by person(s) resident in a ‘relevant territory’ or you meet the ‘quoted company exemption’ criteria; and
- you complete and return the applicable DWT form; and
- if you are an individual or a person or body of persons (other than a company) and your local tax authority has certified your residence in a ‘relevant territory’. For Australian tax residents the tax certification will be undertaken by Computershare. If you are not an Australian tax resident you must obtain certification from your local tax authority and provide this to Computershare together with the applicable DWT form.

What if I don’t meet the Exemption Requirements or don’t complete a DWT form?

DWT will be withheld on your dividend. However, if you are eligible for an exemption but have not completed a DWT form or your DWT form is no longer valid, you may be able to claim a refund of DWT directly from Irish Revenue. Any refund claim must be made within four years from the end of the tax year to which the claim relates.

Am I a beneficial owner?

The beneficial owner is generally the person or entity who is liable to include the dividend income from JHIplc shares in its gross income on a tax return. If you are a custodian, nominee, trustee or otherwise hold legal title on behalf of another entity which would include the dividend income from JHIplc in its gross income on a tax return, you would not normally be a beneficial owner.

In these circumstances:

- an individual, joint holder or company will be the beneficial owner where JHIplc dividend income is declared in their tax return;
- an Australian Managed Investment Scheme will be the beneficial owner where JHIplc dividend income is declared in its Australian tax return;
- a pension fund, which includes an Australian Superannuation Fund or Australian Self-Managed Superannuation Fund, will be the beneficial owner where the dividend income is declared in its tax return.

Refer to ‘Step 3. Sign the form’ on page 3 of this investor guide for further details of who can sign on behalf of the beneficial owner.

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Am I resident in a 'relevant territory'?

You are resident in a 'relevant territory' if you are resident for tax purposes in a country (other than Ireland) which is a member of the European Union, or a country with which Ireland has a double taxation agreement, and you are not resident nor ordinarily resident for tax purposes in Ireland. 'Relevant territories' include Australia, New Zealand, the United States and the United Kingdom. The full list of 'relevant territories' is available from Irish Revenue's website at: www.revenue.ie/en/practitioner/law/tax-treaties.html

Can I complete a DWT form?

If you are the beneficial owner, you will be an 'Eligible Person' and may complete an applicable DWT form if:

- you are an individual (or individuals in the case of joint holders) and you are resident in a 'relevant territory'; or
- you are a company:
  - o which is resident in a 'relevant territory' and which is not under the control of person(s) resident for tax purposes in Ireland; or
  - o which is ultimately controlled by person(s) resident in a 'relevant territory'; or
  - o where the principal class of shares (i) of the company, or (ii) of a company of which you are a 75% (or more) subsidiary, or (iii) where the company is wholly owned by two or more companies, of each of those companies, is substantially and regularly traded on a recognised stock exchange in a 'relevant territory', or on such other stock exchange as may be approved from time to time (**quoted company exemption**).
- you are a person or body of persons such as a superannuation/pension fund, Australian managed investment scheme or trust (other than an individual or a company) which is resident in a 'relevant territory'. (See Additional Questions on page 3 of this investor guide for more information on this category.)

How do I complete a DWT form?

If you are presumed to be an Australian tax resident, you have been sent the 'Australian Tax Resident DWT Form'.

If you are presumed to be tax resident outside of Australia, you have been sent the 'Non-Australian Tax Resident DWT Form'.

If you are not in possession of the DWT form applicable to your circumstances, you can download the appropriate DWT form www.computershare.com/au/forms by:

- selecting James Hardie Industries plc;
- scrolling down to Irish Tax forms; and
- selecting the applicable DWT form.

Step 1. Insert the name of the beneficial owner

Where the registered shareholder details are displayed on the DWT form and the beneficial owner is different from the registered shareholder, write the name and address of the beneficial owner in the Name and Address section of the DWT form, otherwise leave this section blank.

Where the registered shareholder details are not displayed on the DWT form, write the name and address of the beneficial owner in the Name and Address section of the DWT form and write the Holder Identification Number (**HIN**) or Securityholder Reference Number (**SRN**) of the Registered Shareholder in the place indicated. If you are returning the DWT form to the custodian from whom you received the form, they will complete the HIN of the registered holding. Otherwise, failure to write the HIN or SRN may result in the DWT form not being processed.

Step 2. Tax reference number details

Identify the type of entity that is the beneficial owner and mark the applicable box in either section 1, 2 or 3.

Section 1: For individuals and joint holders: complete all the tax detail boxes for each beneficial owner. Joint holders must provide the tax reference number of each joint holder. For Australia, the tax reference number is your Tax File Number (**TFN**).

Section 2: For companies that are tax resident in Australia: complete your TFN. Please note, it is not sufficient to provide an ABN for completing the DWT form.

For companies that are tax resident outside of Australia and Ireland: select the applicable box in section 2 (a, b or c) identifying the type of company and complete any other applicable boxes.

Section 3: For a person or body of persons (other than an individual or company) select the applicable box in section 3 identifying the type of person or body of persons and provide your tax reference number. For Australia, the tax reference number is your TFN.

If you selected '3d – Discretionary trust, you must complete the Discretionary Trust Certificate, have it certified by Irish Revenue and lodge it with the DWT form. Please see page 4 of this investor guide for further information.

If you selected '3e – Other', you must describe the type of entity. If the entity is a trust other than a trust described in boxes 3a to 3d you must write a full description of the Trust using the word 'trust'. Note that any other type of trust may not be eligible to claim exemption from DWT.

Step 3. Sign the form

It is very important you read the instructions carefully, titled 'IMPORTANT NOTES' on the DWT form. Depending on which section of the DWT form you completed, the appropriate person/s must sign the form and complete all their details in the signature section of the DWT form. The DWT form must be signed by:

Beneficial Owner	Who should sign	Indicate this capacity on the DWT form
Individual or joint holders	Individual or all joint holders	Individual or joint holders
Australian Company or registered society	Public officer of company or registered society	Public Officer
Non-Australian Company or registered society	Authorised signatory	The title held by the Authorised signatory
Australian superannuation fund (including a self-managed superannuation fund), Australian managed investment scheme, Australian charity/not for profit organisation which is a trust, or a discretionary trust, which has a trustee who is:		
• a company	Public officer of trustee	Trustee
• an individual	Individual	Trustee
Any other Australian entity- where the ATO has been notified that another person is authorised to act on that beneficial owner's behalf	Authorised contact as notified to the ATO	Authorised contact
Non-Australian person or body of persons (which is not an individual or company)	Authorised signatory	The title held by the Authorised signatory. A certified copy of the power of attorney or authorisation document will need to be lodged with Computershare.

Note for Australian tax residents – the DWT form cannot be signed under Power of Attorney

Step 4. Certification of Tax Residence (if applicable)

If you are an Australian tax resident and completing the Australian Tax Resident DWT Form, you are not required to seek certification of tax residence as Computershare will attend to this on your behalf, if required.

If the beneficial owner is a company, you are not required to seek certification of the company's tax residence from its local tax authority.

If you are a beneficial owner resident for tax purposes outside Australia, and are not a company, you must have your tax residence certified by your local tax authority. Once you have completed steps 1 to 3 of the Non-Australian Tax Resident DWT Form, you should contact your local tax authority directly to:

- arrange for 'Part A: Certificate of Tax Residence' at the bottom of the Non-Australian Tax Resident DWT Form to be completed by the tax authority of the country in which you are resident for tax purposes; or
- where it is not practical for the tax authority to sign and stamp 'Part A: Certificate of Tax Residence' at the bottom of the DWT form, seek a letter to the same effect from the tax authority and provide an English translation, where appropriate.

Where should I return the DWT form?

You should return the applicable DWT form (and accompanying documentation, where applicable):

- if the form was provided to you by your custodian, to that custodian; or
- otherwise, to Computershare.

You must return the original DWT form with original signatures. Faxed or photocopied forms cannot be accepted.

ADDITIONAL QUESTIONS

How do I know what type of 'Person or Body of Persons' I am?

For beneficial owners who are resident for tax purposes in Australia, the 'person or body of persons (other than an individual or company)' Eligible Person category includes:

- an Australian Superannuation Fund (including an Australian Self-Managed Superannuation Fund) for tax purposes, being an Australian Superannuation Fund which is either a regulated superannuation fund or an exempt public sector fund under the Superannuation Industry (Supervision) Act 1993 (Cth);
- an Australian Managed Investment Scheme (not being a company), being an Australian Managed Investment Scheme
- that has a trustee or manager that holds an Australian financial services licence under the Corporations Act (Cth) and/or is a managed investment trust for Australian tax purposes as defined in section 12-400 in Schedule 1 to the Taxation Administration Act 1953 (Cth) (as modified by subdivision 275-A of the Income Tax Assessment Act 1997);
- an Australian charity / Non-Profit Organisation (NPO) (not being a company) that is a not-for-profit entity established for
- charitable purposes; or
- a discretionary trust where a completed Discretionary Trust Certificate, certified by Irish Revenue, accompanies the DWT form.

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Is a Trust eligible to claim exemption from DWT?

A trust other than a discretionary trust is generally not eligible to obtain exemption from DWT unless it is an unincorporated body of persons such as a charity, a pension fund / superannuation fund, or an undertaking for collective investment in transferable securities established or regulated under the law of any 'relevant territory', which is resident in a 'relevant territory'.

What if I do not fall into any of the Eligible Person categories and select '3e – Other' on the relevant DWT form?

If you select '3e – Other' on the relevant DWT form and provide a description of the entity, JHIplc or its agent, Computershare, will assess your application for DWT exemption. However, there is no guarantee exemption from DWT can be provided in which case DWT will be withheld from the payment of dividends by JHIplc to such entity.

What additional requirements apply if a beneficial owner is a discretionary trust?

If the beneficial owner is a discretionary trust which is resident in a 'relevant territory', the DWT form must be accompanied by a completed Discretionary Trust Certificate together with the names and addresses of the 'settlors' and the 'beneficiaries' of the trust.

The Discretionary Trust Certificate and name and address information must first be provided by the trustees of the discretionary trust to Irish Revenue for certification. A more detailed description of the types of discretionary trust which are eligible for exemption from DWT and the information which is required are set out in the Notes to the Discretionary Trust Certificate. The form of Discretionary Trust Certificate and accompanying notes are available at www.computershare.com/au/forms

What if my details change?

If the details you have provided in your completed DWT form change such that you no longer meet the Exemption Requirements, are resident in a different country, are no longer an Eligible Person or are an Eligible Person for different reasons, you must notify Computershare and (if appropriate) submit a new DWT form showing the new details. Failure to notify such changes to JHIplc and Computershare and (if appropriate) submit a new DWT form showing the new details may result in DWT being withheld on your dividend.

Where can I get more information?

For more information on DWT, please refer to:

Computershare Investor Services Pty Limited
Within Australia: 1300 855 080
International: +61 3 9415 4000

Copies of all forms available from:
www.computershare.com/au/forms

James Hardie's investor relations website at:
www.ir.jameshardie.com.au/jh/shareholder_services.jsp

Irish Revenue's website at: www.revenue.ie

Definitions

Company for DWT purposes is any body corporate. A body corporate is, broadly, any body of persons having an identity conferred on it by law and separate from the identities of the members comprising it. A body corporate includes all companies established under local company law as well as companies established by statute or charter. Registered societies or associations may also be included provided that they have separate legal personality.

Control is defined for DWT purposes in section 172D(3A) of the Act and refers to direct or indirect control. The key factors in determining "control" in this context are whether any person(s) possess, are entitled to acquire, or will be entitled to acquire at a future date:

- the greater part of the share capital or issued share capital of the company; or
- the greater part of the voting power in the company; or
- the greater part of the distributable income of the company; or
- the greater part of the right to assets of the company on a winding up.

On the basis that amounts in excess of 50% equate to "the greater part of" ownership of a particular item, it is reasonable to apply the above tests with a view to establishing whether more than 50% of share capital, issued share capital, voting power, distributable income or assets on a winding up are currently possessed, or may in future be possessed (based on current shareholder rights), by any person(s).

A discretionary trust for DWT purposes is, broadly, a trust over property of any kind (for example, JHIplc shares) whereby the property or income arising from the property is held by one or more trustees who have discretion as to the appointment of and/or the accumulation of income and/or capital.

The term substantially and regularly traded is not defined in the Act. However, for the purposes of qualifying for exemption from DWT under section 172D of the Act, Irish Revenue have indicated that they will accept that a company's shares are 'substantially and regularly traded' where the shares are traded on a regular basis each year in more than de minimis quantities.

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