

W&R MORROGH
CLAIM FORM FOR COMPENSATION¹

Claims for losses arising from the proportion of your shares sold to cover your contribution to the costs of the receivership may be submitted on this form².

**APPLICATION FOR COMPENSATION
UNDER SECTION 34 OF
THE INVESTOR COMPENSATION ACT, 1998 (the “Act”)**

NOTES

1. A right to receive compensation will arise only
 - where an authorised investment firm cannot return client money or investment instruments owed to or belonging to clients;
 - in respect of clients who are eligible investors under the Act,and
 - to the extent that a client’s loss is recognised under the Act.
2. Eligible investors should set out their claim on the attached application form. This application form, duly completed and returned to the Investor Compensation Company Limited (“ICCL”), will constitute an application for payment under *section 34* of the Act.
3. Where possible, claimants must provide appropriate evidence in support of their claim, e.g. photocopies of contract notes, letters, statements, etc.
4. Claimants must submit their claim form without delay.
5. If certified by the Administrator³ and for each eligible investor, compensation shall be payable to the extent of 90% of the eligible investor’s net loss or €20,000, whichever is the lesser.
6. **Claim forms should be returned to:**
The Chief Operations Officer
The Investor Compensation Company Limited
c/o Central Bank & Financial Services Authority of Ireland
PO Box 559
Dame Street
Dublin 2

Should you require any clarification or assistance, please
contact the ICCL at 01- 4104955 (tel.) / 01 – 4104284 (fax) /
info@investorcompensation.ie (email).

¹ Please note that if you have already made a claim and received a claim reference from the Investor Compensation Company limited, no further action is required in this regard.

² The deadline for submission of claims has passed (20 December 2001).

³ The person appointed under the Act to assess the amount of compensation payable.

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SOME RELEVANT DEFINITIONS FROM THE INVESTOR COMPENSATION ACT, 1998

The following definitions are extracted from the Investor Compensation Act, 1998 (the "Act"). If you are in doubt about the meaning of any such term, please refer to the Act which can be accessed via the ICCL website www.investorcompensation.ie.

"Eligible investor" means a person, not being an excluded investor, who is a client of an investment firm and has made an application for payment under *section 34* of the Act.

"Excluded investor" means a client of an investment firm which has been the subject of a determination by the supervisory authority under *section 31* or a ruling and, in relation to that investment firm, is-

- a) a professional or institutional client, including:
 - i. an investment firm;
 - ii. an investment firm for the purposes of the Investment Services Directive;
 - iii. a credit institution as defined in Article 1 of Council Directive No. 77/780/EEC;
 - iv. a financial institution as defined in Article 1(6) of Council Directive No. 89/646/EEC of 15 December 1989;
 - v. an insurance undertaking;
 - vi. an undertaking for collective investment; or
 - vii. a pension or retirement fund, or
- b) a local authority, or
- c) a director, manager or personally liable member of the investment firm, a holder of at least 5 per cent. of the capital of the investment firm, a person responsible for carrying out the statutory audit of the investment firm or a client with similar status in a group undertaking, or
- d) a close relative or a third party acting on behalf of a client referred to in *paragraph (c)*, or
- e) another firm in a group undertaking, or
- f) a client who has any responsibility for, or has taken advantage of, facts relating to the investment firm which gave rise to the firm's financial difficulties or contributed to the deterioration of its financial situation, or
- g) a company which is of such a size that it is not permitted to draw up abridged balance sheets under Article 11 of the Fourth Council Directive No. 78/660/EEC of 25 July 1978 based on Article 54(3)(g) of the Treaty on the annual accounts of certain types of companies, or
- h) a client specified by the supervisory authority as an excluded investor in accordance with *section 35(8)*.

"Professional investor" means a client of an investment firm who the investment firm can show has sufficient and appropriate expertise in investment instruments to be categorised as a professional investor and who has acknowledged in writing to that investment firm that he or she has been made aware of the consequences of being categorised as a professional investor and is categorised by that investment firm as a professional investor.

"Close relative" means a brother, sister, parent or spouse of a client or a child of the client or of the spouse of the client, where "spouse" in relation to the client, shall not include a spouse who is living separately and apart from the client.

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PERSONAL DETAILS

(BLOCK CAPITALS PLEASE)

Mr/Mrs/Miss/Ms/Other

Surname

First Name

Address

Telephone No: (for contact, if necessary)

- (a) Do you owe any money to W & R Morrogh?
Yes No If Yes, please give details below.

- (b) Having read the definitions on page 2 of this form, do you consider yourself to be an eligible investor of W & R Morrogh under the Act?
Yes No

- (c) If to your knowledge any investment instruments, in respect of which a claim is hereby made, arose out of a transaction or transactions in respect of which (a) an offence has been committed under Part IV or section 57 or 58 of the Criminal Justice Act, 1994 (money laundering and related offences including failures to comply with measures to prevent money laundering) or (b) in respect of which there has been a criminal conviction for money laundering as defined in Article 1 of Council Directive No. 91/308/EEC of 10 June 1991 on money laundering, please give details below or on a separate sheet of paper.

- (d) **Declaration:**
I confirm that the information given on this form and any other information given in support of my claim is true, to the best of my knowledge.

Signed: _____

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² The deadline for submission of claims has passed (20 December 2001).

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CLAIM FORM FOR COMPENSATION ¹

**CLAIM FOR LOSSES ARISING FROM THE PROPORTION OF INVESTMENT INSTRUMENTS
 BELONGING TO YOU AND SOLD BY THE RECEIVER AND MANAGER TO COVER YOUR
 CONTRIBUTION TO THE COSTS OF THE RECEIVERSHIP**

Name of Stock	Type of Shares	No. of Shares Held	Currency	Total Value of Shares at 18 June 2001
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<i>Example:</i> ABC Ltd.	<i>Example:</i> Ordinary Shares	<i>Example:</i> 2,000	<i>Example:</i> Euro	<i>Example:</i> €4,500
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If the above table is not appropriate for your claim, please set out as much information as possible about your investments on a separate sheet of paper.

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