

ATTACHMENT FOR SAINT VINCENT AND THE GRENADINES

1. QI is subject to the following laws and regulations of St. Vincent and the Grenadines governing the requirements of QI to obtain documentation confirming the identity of QI's account holders.

- (i) Proceeds of Crime and Money Laundering (Prevention) Act, 2001 (POCMLA) specifically Sections 46 and 47 and Schedule 1.
- (ii) Proceeds of Crime (Money Laundering) Regulations, 2001 (Regulations)
- (iii) Prevention of Money Laundering Guidance Notes (Guidance Notes)
- (iv) Financial Intelligence Unit Act, 2001

2. QI represents that the laws identified above are enforced by the following enforcement bodies and QI shall provide the IRS with an English translation of any reports or other documentation issued by these enforcement bodies that are relevant to QI's functions as a qualified intermediary.

- (i) The Director of Public Prosecutions
- (ii) The Financial Intelligence Unit
- (iii) The International Financial Services Authority
- (iv) The National Anti Money Laundering Committee

3. QI represents that the following penalties apply to failure to obtain, maintain, and evaluate documentation obtained under the laws and regulations identified in item 1 above.

- (i) A person guilty of an offence for failure to comply with KYC requirements of The Proceeds of Crime Regulations is liable under Section 9 of the Regulations (a) on summary conviction to a fine of ten thousand dollars; (b) on conviction on indictment (i) for a first offence to a fine of \$500,000 or to a term of one year imprisonment or both;
- (ii) for a second or subsequent offence, to a fine of one million dollars or to a term of three years imprisonment or both.
- (iii) A person guilty of an offence under the Proceeds of Crime Money Laundering Prevention Act 2001 of failing to keep records, failing to disclose knowledge or suspicion, tipping off, failure to report a suspicious transaction is liable (a) on summary conviction, to imprisonment for three years or a fine of \$500,000 or both; or (b) on conviction on indictment to imprisonment for ten years or an unlimited fine or both.

4. QI shall use the following specific documentary evidence (and also any specific documentation added by an amendment to this item 4 as agreed to by the IRS) to comply with section 5 of this Agreement, provided that the following specific

documentary evidence satisfies the requirements of the laws and regulations identified in item 1 above. In the case of a foreign person, QI may, instead, use a Form W-8 in accordance with section 5 of this Agreement. Either QI, or a banking or securities association in St. Vincent and the Grenadines, may request an amendment of this item 4.

(i) For natural persons:

(a) Passport

(b) National Identity Card

(ii) For legal persons:

(a) certified copy of the certificate of incorporation;

(b) certified copy of the Memorandum and Articles of Association;

(c) copy of partnership agreement.

5. QI shall follow the procedures set forth below (and also any procedures added by an amendment to this item 5 as agreed to by the IRS) to confirm the identity of account holders that do not open accounts in person or who provide new documentation for existing accounts other than in person. In the case of a foreign person, QI may, instead, use a Form W-8 in accordance with section 5 of this Agreement. Either QI, or a banking or securities association in St. Vincent and the Grenadines, may request an amendment to this item 5.

(i) QI shall not open an account by any means other than by establishing in person the identity of a customer through the account holder's own identity documents, except as permitted in (ii), (iii) and (iv) below.

(ii) QI may obtain by mail or otherwise a copy that is an exact reproduction of the specific documentary evidence listed in item 4 above from another person that is subject to know-your-customer rules that have been approved by the IRS for purposes of qualified intermediary agreements, provided that the laws and regulations listed in item 1 permit QI to rely on the other person to identify the account holder.

(iii) QI may obtain a photocopy of the specific documentary evidence listed in item 4 by mail or otherwise remotely from the account holder or a person acting on behalf of the account holder, provided that the photocopy has been certified as a true and correct copy by a person whose authority to make such certification appears on the photocopy, and provided that the laws and regulations listed in item 1 permit QI to rely on the certified photocopy to identify the account holder.

(iv) (a) QI may obtain by mail or otherwise a copy that is an exact reproduction of the specific documentary evidence listed in Item 4 from an affiliate of QI or a correspondent bank of QI, provided that the affiliate or correspondent bank has established in person the identity of the account holder and the laws and regulations listed in Item 1 permit QI

to rely on documentation provided by that affiliate or correspondent bank to identify the account holder.

(b) For accounts opened prior to January 1, 2001, if QI was not required under its know-your-customer rules to maintain originals or copies of documentation, QI may rely on its account information if it has complied with all other aspects of its know-your-customer rules regarding establishment of an account holder's identity, it has a record that the documentation required under the know-your-customer rules was actually examined by an employee of QI, or an employee of an affiliate of QI or a correspondent bank of QI, in accordance with the know-your-customer rules, and it has no information in its possession that would require QI to treat the documentation as invalid under the rules of section 5.10(B) of this Agreement.