

## **ATTACHMENT FOR THE HOLY SEE AND THE VATICAN CITY STATE**

1. QI is subject to the following laws and regulations of the Holy See and the Vatican City State governing the requirements of QI to obtain documentation confirming the identity of QI's account holders.

- (i) Law n. XVIII of 8 October 2013, as amended by Law n. CCXLVII of 19 June 2018 and by Decree n. CCCLXXII of 9 October 2020 ("Transparency Law")
- (ii) Article 421 *bis* of the Criminal Code, as amended by art 5 of Decree CCCXXIX, of 1 October 2019
- (iii) Regulation No. 4 of the Supervisory and Financial Information Authority

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) Supervisory and Financial Information Authority

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.

Under item 1(i):

- (i) A written warning, with a separate letter or within an audit report;
- (ii) An order to comply with specific instructions, including an order to the natural or legal person to refrain from carrying out the behavior in question and to abstain from repeating it, with fines in case of full or partial noncompliance;
- (iii) An order to make regular reports on the measures adopted by the sanctioned subject, with fines in the case of total or partial non-compliance;
- (iv) Corrective measures;
- (v) A fine of up to €5 million for natural persons, and up to 10% of the gross annual income in the preceding financial year for legal persons. The fine must be at least equal to double the amount of the profit made through the violation if this amount can be calculated, or at least equal to EUR 1 million.
- (vi) Permanent or temporary interdiction of natural persons from carrying out activities in the economic, commercial or professional sectors;
- (vii) Removal or limitation of the powers of members of the management or the senior management, or persons with analogous functions;
- (viii) Suspension or withdrawal of the authorization to carry out professionally a financial activity; and
- (ix) Conservatorship.

Under item 1(ii):

- (i) Up to 12 years of imprisonment
- (ii) A fine of up to €15,000.

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. QI may request an amendment to this item 4.

(i) For natural persons:

- a) identity card;
- b) passport (ordinary, service, or diplomatic); or
- c) equivalent identification card issued by a Public Entity (i.e. driving license and identification card specific to the issuing country);

provided they are intact, legible, and with a photograph of the holder.

(ii) For legal entities:

- a) Copy of the certificate of incorporation, articles of association, trust agreement/deed/indenture or other constating documents; or
- b) Document certifying canonical recognition issued by competent ecclesiastical authorities, in compliance with Canon Law (verified with Pontifical yearbook or the list of legal persons resident in the Vatican City State kept by the Vatican City State Governorate).

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. QI 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.