

## ATTACHMENT FOR ESTONIA

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

- (i) Money Laundering Prevention Act
- (ii) Credit Institutions Act, §17, 63 and 89
- (iii) Regulation No. 20 of the President of the Bank of Estonia of 9 July 1999 "The Procedure for Implementation of Internal Security Measures in Credit Institutions for Prevention of Money Laundering, and of the List of Suspicious and Unusual Transactions."
- (iv) Estonian Central Register of Securities Act, § 5 and 6

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) Financial Supervision Authority
- (ii) Financial Intelligence Unit

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) Criminal Code, §148/8: fine or imprisonment of up to 2 years with or without the deprivation of the right of employment in a particular position or operation in a particular area of activity
- (ii) Code of Administrative Offences, §137/7: fine of 100 up to 200 fine units
- (iii) Credit Institutions Act, §17: loss of operating authorization

4. QI shall use the following 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 a case of foreign person, QI may, in accordance with section 5 of this Agreement, instead use a Form W-8. Either QI, or a banking association in Estonia, may request an amendment of this item 4.

- (i) For natural persons:
  - (a) Passport
  - (b) Identity card;
  - (c) Seafarer's discharge books;
  - (d) Driver's license;
  - (e) Certificate of servicing in armed forces;

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(ii) For legal persons:

- (a) Certified copies of the certificate of incorporation, articles of association, or other organizational documents, or
- (b) Certified copies of extracts from public registers;

5. QI shall follow the procedures set forth below (and also 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 foreign persons, QI may in accordance with the section 5 of this Agreement, instead use a Form W-8. Either QI, or a banking association in Estonia, 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 the aspects of its know-your-customer rules regarding establishment of an account holder's identity, it has a record that the

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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.