

ATTACHMENT FOR COOK ISLANDS

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

Financial Transactions Reporting Act 2017
Financial Transactions Reporting Regulations 2017
Financial Transactions Reporting Practice Guidelines

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.

Cook Islands Financial Intelligence Unit (CIFIU)
Cook Islands Financial Supervisory Commission (CIFSC)

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.

A person who commits an offence under the Act – including failure to obtain or evaluate KYC documentation – is liable on conviction:

- a) For an individual, to a fine not exceeding \$250,000 NZD, or to imprisonment for a term not exceeding 5 years, or both; or
- b) In any other case, to a fine not exceeding \$1,000,000 NZD.

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 , may request an amendment of this item 4.

- For a natural person:
 - A certified copy of a valid and current government issued photographic identification document limited to the following:
 - Passport; or
 - Driving licence; or
 - National identity card; or
 - Military Forces identity card
 - A copy of a recent rates, tax or utility bill (except a mobile phone bill) that shows the person's name and permanent residential address, or
 - A copy of a bank statement showing the person's name and address where the customer has maintained a relationship for at least 12 months, or
 - A copy of an independent source document that shows the person's name and residential address.
- For a legal person:
 - A certified copy of the certificate of incorporation, registration or organisation, or other similar document, and
 - A copy of the register of directors, council members, members or partners, and

- A copy of the memorandum and articles of association, articles of organisation, limited liability company reports, partnership agreement, or other similar documents, and
 - A copy of recent rates, tax or utility bills showing the legal person's name, mailing address and place of business, or
 - A copy of the legal person's most recent annual return, or
 - Copies of audited financial statements which shows the legal person's name, directors and registered address.
 - For a trust:
 - Certified copy of the trust deed, or relevant extracts of the trust deed, or registration records, or other instrument evidencing by which the trust was established and evidencing the appointment and powers of trustees, and
 - A certified copy of a recent bank statement which shows the trustees mailing address (if applicable).
 - For a foundation:
 - A certified copy of the certificate of registration, the register of council members, the register of ultimate principals, the foundation instrument and foundation rules, and
 - Verification documents for the founder, council members and ultimate principals, and
 - Verification documents in respect of each beneficiary upon making a payment from the foundation where the foundation does not have a charitable purpose.
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 , 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.