

ATTACHMENT FOR PORTUGAL

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

- (i) Provisions on identification in relation to money laundering
 - (a) Law no. 11/2004, of 27 March, on specific measures for the prevention of money laundering (revoked Decree-Law no. 313/93, of 15 September);
 - (b) Instruction no. 26/2005, issued by the Bank of Portugal, on specific measures for the prevention of money laundering (revoked Instruction no. 70/96, issued by the Bank of Portugal);
 - (c) Ruling no. 10/2005-R, of 19 July, issued by the Portuguese Insurance Institute, on specific measures for the prevention of money laundering (has revoked Ruling no. 49/1994, issued by the Portuguese Insurance Institute).

- (ii) Provisions on identification in respect of opening accounts and transactions
 - (a) Notice no. 11/2005, issued by the Bank of Portugal, on account opening (revoked Instruction no. 48/96, issued by the Bank of Portugal);
 - (b) Regulation no. 21/2000, issued by the Portuguese Securities Market Commission, on reception of subscription or transaction of stock exchange orders through the internet;
 - (c) Regulation no. 3/2006, issued by the Portuguese Securities Market Commission, on orders and investment intentions made by telephone in public offerings (has revoked Regulation no. 33/2000, issued by the Portuguese Securities Market Commission).

- (iii) Provisions on control and supervision in relation to money laundering
 - (a) Notice no. 3/2006, issued by the Bank of Portugal, on internal control procedures (revoked Instruction no. 72/96, issued by the Bank of Portugal).

2. QI represents that the laws identified above are enforced by the following enforcement bodies and QI shall provide the Internal Revenue Service ("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:

- the Bank of Portugal; and,
- the Ministry of Finance.

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 fine between Eur 1.000 and Eur 750.000 for the financial institution, and between Eur 500 and Eur 250.000 for the member of the board or the person with a managing position in the financial institution, may be applied in the following cases:

- (a) non compliance with general and specific procedures of client's identification;
- (b) non-compliance with specific rules concerning the analysis of operations that by their nature, complexity or unusual character may qualify as money laundering; and,
- (c) non-compliance with the obligations of keeping know-your-customer ("KYC") documentation.

(ii) A fine between Eur 5.000 and Eur 2.500.000 for the financial institution, and between Eur 2.500 and 1.000.000 for the member of the board or the person with a managing position in the financial institution, may be applied in the following cases:

- (a) performing operations without identifying the client or the person on behalf of whom a client is acting;
- (b) not reporting promptly a suspicion of money laundering;
- (c) non-compliance with cooperation duty required by the relevant authorities (namely by providing all information and documentation requested by those authorities);
- (d) non-compliance with duty of refraining from carrying out transactions when there is a suspicion of money laundering and not proceeding with the respective apprise to the judicial authority;
- (e) disclosing information to a client, or to a third person, that a money laundering report regarding this client has been transmitted to the judicial authority or that a criminal investigation is being carried out.

The person whose negligent procedure reveals or enables the disclosure of the identity of the person that report a suspicion of money laundering may be punished with a three year prison penalty instead of the above-mentioned fine.

(f) non-compliance with money laundering internal control procedures.

(iii) Additional penalties may be applied to the person involved in the infraction, such as:

- (a) the interdiction of undertaking management functions or being member of the board of any financial entity that is subject to money laundering rules;

(b) bearing the expenses of publicizing the final decision of the supervising entity.

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 Portugal, may request an amendment of item 4.

(i) For natural persons:

- (a) Passport,
- (b) National identity card,
- (c) Permit of residence (Autorizacao de residencia) issued by the Ministry of Internal Administration –Frontier and Foreign Services division (“SEF”).
- (d) Birth certificate provided by an individual under the age of majority (18 years of age).

(ii) For corporations:

- (a) The collective person's identity card issued by the Registo Nacional de Pessoas Colectivas (National Registry of Collective Persons) and the collective person's taxpayer identification number, or equivalent under the relevant jurisdiction.
- (b) Certificate of incorporation, articles of association, or other organizational documents (if subject to public registration).

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 identify 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 Portugal, 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 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) 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 identify 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.

(v) For accounts opened prior to January 1, 2001, if QI was not required under its know-you-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.