

## ATTACHMENT FOR ITALY

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

- (i) Royal Decree 773 of 18 June 1931
- (ii) Royal Decree 635 of 6 May 1940
- (iii) Law 197 of 5 July 1991
- (iv) Decree of Minister of Treasury of 19 December 1991
- (v) Communication of Minister of Treasury of 5 June 1992
- (vi) Decree of Minister of Treasury of 7 July 1992
- (vii) Decree of Minister of Treasury of 29 October 1993

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) Ufficio Italiano dei Cambi
- (ii) special foreign exchange unit of financial police

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) Under Article 2 of the Law 197/1991, the staff member assigned to effect a transaction who infringes the provisions on customer identification is subject to a fine of from 5 to 25 million lire.

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 Italy, may request an amendment of item 4.

- (i) For natural persons:
  - (a) Passport,
  - (b) National identity card,
  - (c) Driving license, or
  - (d) Libretto Personale per Licenze di Porto D'Armi.

## ATTACHMENT FOR ITALY

(ii) For legal persons:

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

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 Italy, 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

## **ATTACHMENT FOR ITALY**

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.