

## ATTACHMENT FOR URUGUAY

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

- (i) Decree Law No. 15.322 of September 17, 1982, with amendments introduced by Law No. 16.327 of November 11, 1992.
- (ii) Law No. 16.696 of March 30, 1995.
- (iii) Law No. 17.016 of October 22, 1998.
- (iv) Circular No. 1.712 of October 13, 2000.
- (v) Circular No. 1.713 of October 13, 2000.
- (vi) Circular No. 1.715 of October 27, 2000.
- (vii) Circular No. 1.722 of December 21, 2000.
- (viii) Circular No. 1.738 of February 19, 2001.
- (ix) Communication No.93/68 of June 3, 1983.

2. QI represents that the laws and regulations identified in item 1 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 function as a qualified intermediary.

- (i) The Central Bank of Uruguay
- (ii) The Financial Information and Analysis Unit

3. QI represents that the following penalties apply for failure to obtain, maintain, and evaluate documentation obtained under the laws and regulations identified in item 1.

- (i) Fines up to 50% of the minimum net worth established for operation of banks;
- (ii) Intervention, which may be accompanied by total or partial replacement of authorities. When intervention is accomplished by total replacement of authorities, it shall imply the total lapsing of all commissions and mandates granted by the Central Bank of Uruguay and the suspension, for twenty business days, of all types of terms that may be applicable to the intervened enterprise;
- (iii) Total or partial suspension of activities for an express period of time;
- (iv) Temporary or final revocation of the charter of the financial institution;
- or
- (v) Revocation of authorization to operate.

The penalty for money laundering crimes is imprisonment for a term of twelve months to fifteen years.

4. QI shall use the following specific documentary evidence (and also any specific documentary evidence added by an amendment to this item 4 as agreed to by the

## ATTACHMENT FOR URUGUAY

IRS) to comply with section 5 of this Agreement provided that the following documentary evidence satisfies the requirements of the laws and regulations identified in item 1 above. In the case of any foreign person, the 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 Uruguay, may request an amendment of this item 4.

- (i) For *natural persons*, one of the following valid documents:
  - (a) a passport; or
  - (b) a national identity card.
  
- (ii) For *legal entities*, the following documentary evidence:
  - (a) For *corporations*, a copy of the certificate of incorporation or registry certification;
  - (b) For *partnerships*, a copy of the partnership agreement; and
  - (c) For *trusts*, either a copy of the trust deed or certified extracts from the trust deed.

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 any foreign person, the 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 Uruguay, may request an amendment of 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 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 the QI to rely on the certified photocopy to identify the account holder.

## ATTACHMENT FOR URUGUAY

- (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.