

## ATTACHMENT FOR ANTIGUA

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

- (i) Money Laundering (Prevention) Act, 1996
- (ii) Money Laundering (Prevention) (Amendment) Act, 1999
- (iii) Law Revision (Miscellaneous) (Amendments) (No.3) Act, 2000
- (iv) Money Laundering (Prevention) (Amendment) Act, 2001
- (v) Money Laundering (Prevention) Regulations, 1999
- (vi) Money Laundering (Prevention) (Amendment) Regulations, 2000
- (vii) International Business Corporations Regulations, 1998

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.

Supervisory Authority

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

- (i) A person guilty of an offense under the Regulation is liable to a fine not exceeding EC\$50,000 or to imprisonment for a term not exceeding two years.
- (ii) The license of a financial institution to operate as such may also be suspended or revoked for offenses connected to money laundering.

4. QI shall use the following specific documentary evidence (and also any specific documentation added by an amendment to this item 4 as agreed by the IRS) to comply with Section 5 of the Agreement, provided that the following documentary evidence satisfies the requirements of the law and regulations identified in 1 above. Either QI, or a banking or securities association in Antigua, may request an amendment of item 4.

(i) For natural persons:

- (a) Passport,
- (b) National identity card,
- (c) Drivers license.

(ii) For legal persons:

- (a) Certificate of incorporation, such certificate to be notarized where the corporate body is incorporated outside Antigua & Barbuda,

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(b) Signed trust deed for trusts.

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. Either QI, or a banking or securities association in Antigua, 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 if the account holder maintains an account with that affiliate or correspondent bank, 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

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correspondent bank of QI, in accordance with the know-your-customer rules, and it had 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.