

Anti-Money Laundering Definitions

Close Associate of a Senior Foreign Political Figure

is a person who is widely and publicly known internationally to maintain an unusually close relationship with the Senior Foreign Political Figure and includes a person who is in a position to conduct substantial domestic and international financial transactions on behalf of the Senior Foreign Political Figure.

FATF-Compliant Jurisdiction

is a jurisdiction that (i) is a Partner in good standing of FATF and (ii) has undergone two rounds of FATF mutual evaluations.

FATF

means the Financial Action Task Force on Money Laundering.

Foreign Bank

means an organization that (i) is organized under the laws of a non-U.S. country (ii) engages in the business of banking, (iii) is recognized as a bank by the bank supervisory or monetary authority of the country of its organization or principal banking operations, (iv) receives deposits to a substantial extent in the regular course of its business, and (v) has the power to accept demand deposits, but does not include the U.S. branches or agencies of a non-U.S. bank.

Foreign Shell Bank

means a Foreign Bank without a Physical Presence in any country but does not include a Regulated Affiliate.

Immediate Family of a Senior Foreign Political Figure

typically includes such person's parents, siblings, spouse, children, and in-laws.

Non-Cooperative Jurisdiction

means any non-U.S. country that has been designated as non-cooperative with international anti-money laundering principles or procedures by an intergovernmental group or organization, such as the FATF, of which the United States is a Partner and with which designation the United States representative to the group or organization continues to concur.**

Physical Presence

means a place of business that is maintained by a Foreign Bank and is located at a fixed address, other than solely a post office box or an electronic address, in a country in which the Foreign Bank is authorized to conduct banking activities, at which location the Foreign Bank (i) employs one or more individuals on a full-time basis, (ii) maintains operating records related to its banking activities, and (iii) is subject to inspection by the banking authority that licensed the Foreign Bank to conduct banking activities.

Prohibited Investor

means (i) a person or entity whose name appears on any of the various lists issued and maintained by the U.S. Office of Foreign Assets Control ("OFAC"), including the List of Specially Designated Nationals and Blocked Persons, the Specially Designated Terrorist List and the Specially Designated Narcotics Traffickers List; (ii) a Foreign Shell Bank; or (iii) a person or entity who is a citizen or resident of, or which is located in, or whose subscription funds are transferred from or through a Foreign Shell Bank in a Non-Cooperative Jurisdiction or Sanctioned Regime.

Regulated Affiliate

means a Foreign Shell Bank that (i) is an affiliate of a depository institution, credit union, or Foreign Bank that maintains a Physical Presence in the United States or a non-U.S. country, as applicable, and (ii) is subject to supervision by a banking authority in the country regulating such affiliated depository institution, credit union, or Foreign Bank.

For a current list of FATF-compliant jurisdictions refer to the Financial Action Task Force website,

<http://www.oecd.org>

The list of Non-Cooperative Countries and Territories is amended periodically. For a current list of Non-Cooperative Countries and Territories, refer to the Financial Action Task Force website, <http://www.oecd.org>

The OFAC lists may be found at the OFAC website:

<http://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx>

Sanctioned Regimes

means targeted foreign countries, terrorism sponsoring organizations, and international narcotics traffickers in respect of which OFAC administers and enforces economic and trade sanctions based on U.S. foreign policy and national security goals.

Senior Foreign Political Figure

means a senior official in the executive, legislative, administrative, military, or judicial branch of a foreign government (whether elected or not), a senior official of a major foreign political party, or a senior executive of a foreign government-owned corporation. In addition, a Senior Foreign Political Figure includes any corporation, business, or other entity that has been formed by, or for the benefit of, a Senior Foreign Political Figure.

USA Patriot Act

means the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001 (Pub. L. No. 107-56).

For a current list of those regimes in which OFAC has imposed sanctions refer to the following website:

<http://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx>