

ATTACHMENT FOR PORTUGAL

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

(i) Provisions on identification in relation to money laundering:

- (a) Decree-Law No. 313/93, of 15 September, on specific measures for the prevention of money laundering;
- (b) Instruction 70/96, issued by the Bank of Portugal, on specific measures for the prevention of money laundering; and
- (c) Ruling No. 049/1994, issued by the Portuguese Insurance Institute, on specific measures for the prevention of money laundering.

(ii) Provisions on identification in respect of opening accounts and transactions

- (a) Instruction 48/96, issued by the Bank of Portugal, on account opening;
- (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; and
- (c) Regulation No. 33/2000 issued by the Portuguese Securities Market Commission, on orders and investment intentions made by telephone in public offerings.

(iii) Provisions on control and supervision in relation to money laundering

- (a) Instruction No. 72/96, issued by the Bank of Portugal, on internal control procedures.

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.

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 PTE150,000 and PTE150,000,000 on the financial institution, and between PTE50,000 to PTE50,000,000 on the member of the board or the person with a managing position in the financial institution, may be applied in the following cases:

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- (a) Not complying with the general and specific procedures of identification of the clients;
- (b) Not complying with the specific rules concerning operations that by their nature may qualify as money laundering; and
- (c) Not complying with the obligations of keeping the KYC documentation.

(ii) A fine between PTE1,000,000 and PTE500,000,000, for the financial institution, and between PTE500,000 to PTE200,000,000 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) Not identifying the client or the person on behalf of whom a client is acting;
- (b) Not reporting promptly a suspicion of money laundering;
- (c) Not complying with duties of refraining from carrying out the transaction when there is a suspicion of money laundering, and immediately informing the judicial authority;
- (d) Informing a client of a money laundering report that has been made to the judicial authority or that a criminal investigation is being carried out; and
- (e) Not complying with the money laundering internal control procedures.

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) Portuguese citizens or residents:
 - (1) National identity card with photograph and number.
- (b) Non-Portuguese citizens or residents:
 - (1) National identity card, or passport.

(ii) Corporations:

- (a) Where applicable, the collective person's identity card issued by the Registo Nacional de Pessoas Colectivas (National Registry of Collective Persons) and collective person taxpayers identification number, or equivalent under the relevant jurisdiction.

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(b) Copies of the certificate of incorporation, articles of association, or other organizational documents.

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 b., c. and d. 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.