

CERTIFICATION REGARDING CORRESPONDENT ACCOUNTS FOR FOREIGN BANKS

[OMB CONTROL NUMBER 1506-0043]

*The information contained in this Certification is sought pursuant to Sections 5318(j) and 5318(k) of Title 31 of the United State Code, as added by sections 313 and 319(b) of the USA PATRIOT Act of 2001 (Public Law 107-56).*

This Certification should be completed by any **foreign bank** that maintains a **correspondent account** with any U.S. bank or broker-dealer in securities (a **covered financial institution** as defined in 31 CFR 1010.605(e)). An entity that is not a foreign bank is not required to complete this Certification.

A **foreign bank** is a bank organized under foreign law and located outside of the United States (see definition at 31 CFR 1010.100(u)). A **bank** includes offices, branches, and agencies of commercial banks or trust companies, private banks, national banks, thrift institutions, credit unions, and other organizations chartered under banking laws and supervised by banking supervisors of any state (see definition at 31 CFR 1010.100(d)).<sup>1</sup>

A **correspondent account** for a foreign bank is any account to receive deposits from, make payments or other disbursements on behalf of a foreign bank, or handle other financial transactions related to the foreign bank.

*Special instructions for foreign branches of U.S. banks:* A branch or office of a U.S. bank outside the United State is a foreign bank. Such a branch or office is not required to complete this Certification with respect to Correspondent Accounts with U.S. branches and offices of the same U.S. bank.

*Special instructions for covering multiple branches on a single Certification:* A foreign bank may complete one Certification for its branches and offices outside the United States. The Certification must list all of the branches and offices that are covered and must include the information required in Part C for **each** branch or office that maintains a Correspondent Account with a Covered Financial Institution. Use attachment sheets as necessary.

**A.** The undersigned financial institution, **Abu Dhabi Commercial Bank PJSC, United Arab Emirates**, on behalf of itself and each of its foreign branches and subsidiaries listed in the attachment hereto (individually referred to as "**Foreign Bank**" and, collectively, as "**Foreign Banks**") hereby certifies as follows:

<sup>1</sup> A "foreign bank" does not include any foreign central bank or monetary authority that functions as a central bank, or any international financial institution or regional development bank formed by treaty or international agreement

**B. Correspondent Accounts Covered by this Certification:** Check **one** box.

- This Certification applies to **all** accounts established for Foreign Bank by Covered Financial Institutions.
- This Certification applies to Correspondent Accounts established by \_\_\_\_\_ (name of Covered Financial Institution(s)) for Foreign Bank.

**C. Physical Presence/Regulated Affiliate Status:** Check **one** box and complete the blanks.

- Foreign Banks maintains a **physical presence** in any country. That means:
- Each of the Foreign Banks has a place of business at the following street address set out in the attachment hereto, where it employs one or more individuals on a full-time basis and maintains operating records related to its banking activities.
  - The address is in the country where the particular Foreign Bank is authorised to conduct banking activities.
  - The particular Foreign Bank is subject to inspection by the banking authority that licenses the particular Foreign bank to conduct banking activities as set out in the attachment hereto.
- Foreign Bank does not have a physical presence in any country, but Foreign Bank is a **regulated affiliate**. That means:
- Foreign Bank is an affiliate of a depository institution, credit union, or a foreign bank that maintains a physical presence at the following street address: \_\_\_\_\_, where it employs one or more persons on a full-time basis and maintains operating records related to its banking activities.
  - The above address is in \_\_\_\_\_ (insert country), where the depository institution, credit union, or foreign bank is authorized to conduct banking activities.
  - Foreign Bank is subject to supervision by \_\_\_\_\_, (insert Banking Authority), the same banking authority that regulates the depository institution, credit union, or foreign bank.
- Foreign Bank does **not** have a physical presence in a country and is **not** a regulated affiliate.

**D. Indirect Use of Correspondent Accounts:** Check box to certify.

- No Correspondent Account maintained by a Covered Financial Institution may be used to indirectly provide banking services to certain foreign banks. Each of the Foreign Banks hereby certifies that it does **not** use any Correspondent Account with a Covered Financial Institution to indirectly provide banking services to any foreign bank that does not maintain a physical presence in any country and that is not a regulated affiliate.

**E. Ownership Information:** Check box 1 or 2 below, **if applicable.**

1. **Form FR Y-7 is on file.** Foreign Bank has filed with the Federal Reserve Board a current Form FR Y-7 and has disclosed its ownership information on Item 4 of Form FR Y-7.
2. **Foreign Bank's shares are publicly traded.** Publicly traded means that the shares are traded on an exchange or an organized over-the-counter market that is regulated by a foreign securities authority as defined in section 3(a)(50) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(50)).

If **neither** box 1 or 2 of Part E is checked, complete Item 3 below, **if applicable.**

3. Foreign Bank has no **owner(s)** except as set forth below. For purposes of this Certification, **owner** means any person who, directly or indirectly, (a) owns, controls, or has power to vote 25 percent or more of any class of voting securities or other voting interests of Foreign Bank; or (b) controls in any manner the election of a majority of the directors (or individuals exercising similar functions) of Foreign Bank. For purposes of this Certification, (i) **person** means any individual, bank, corporation, partnership, limited liability company or any other legal entity; (ii) **voting securities or other voting interests** means securities or other interests that entitle the holder to vote for or select directors (or individuals exercising similar functions); and (iii) members of the same family<sup>2</sup> shall be considered one **person**.

The Foreign Banks are directly or indirectly owned by Abu Dhabi Commercial Bank PJSC, Sheikh Zayed Street, Abu Dhabi, United Arab Emirates, whose shares are publicly traded. The Abu Dhabi Investment Council owns 60.20% of Abu Dhabi Commercial Bank's shares.

<sup>2</sup> The same family means parents, spouses, children, siblings, uncles, aunts, grandparents, grandchildren, first cousins, stepchildren, stepsiblings, parents-in-law and spouses of any of the foregoing. In determining the ownership interests of the same family, any voting interest of any family member shall be taken into account.



**F. Process Agent:** complete the following.

The following individual or entity: **ZUKERMAN GORE BRANDEIS & CROSSMAN, LLP** is a resident of the United States at the following street address:

**11 Times Square, New York, NY 10036** and is authorized to accept service of legal process on behalf of Foreign Bank from the Secretary of the Treasury or the Attorney General of the United States pursuant to Section 5318(k) of title 31, United States Code.

**G. General**

The Foreign Banks hereby agree to notify in writing each Covered Financial Institution at which they maintains any Correspondent Account of any change in facts or circumstances reported in this Certification. Notification shall be given within 30 calendar days of such change.

The Foreign Bank understands that each Covered Financial Institution at which they maintains a Correspondent Account may provide a copy of this Certification to the Secretary of the Treasury and the Attorney General of the United States. The Foreign Banks further understand that the statements contained in this Certification may be transmitted to one or more departments or agencies of the United States of America for the purpose of fulfilling such departments' and agencies' governmental functions.

I, **Ala'a Eraiqat**, certify that I have read and understand this Certification, that the statements made in this Certification are complete and correct, and that I am authorized to execute this Certification on behalf of Foreign Bank.

  
\_\_\_\_\_  
Ala'a Eraiqat  
Group Chief Executive Officer  
ABU DHABI COMMERCIAL BANK

Executed on this 7<sup>th</sup> day of January, 2020.



**Received and reviewed by:**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

For: \_\_\_\_\_  
[Name of Covered Financial Institution]

Date: \_\_\_\_\_

**Attachment**

Entity Name	Street Address	Country	Banking Authority
Abu Dhabi Commercial Bank	Sheikh Zayed Street, Abu Dhabi	United Arab Emirates	The Central Bank of the United Arab Emirates
Al Hilal Bank	Al Hilal Bank Building, Al Falah Street, Abu Dhabi	United Arab Emirates	The Central Bank of the United Arab Emirates
Union National Bank PJSC Shanghai Branch	Unit 73T71, Shanghai World Financial Center, 100 Century Avenue, Pudong New District, Shanghai 200120	People's Republic of China	China Banking & Insurance Regulatory Commission
Abu Dhabi Commercial Bank QFC Branch	Al Fardan Commercial Tower West Bay P O Box 27270 Doha Qatar	State of Qatar	Qatar Central Bank
Union National Bank Kuwait	Dar Al Awadi Building, Ahmed Al Jaber Street, P O Box 29615 Safat, 13157 Kuwait	State of Kuwait	Central Bank of Kuwait
Abu Dhabi Commercial Bank PJSC, Jersey branch	27 Hill Street St Helier	Jersey	Jersey Financial Services Commission
Abu Dhabi Commercial Bank PJSC Mumbai Branch	75, Rehmat Manzil, Veer Nariman Road, Churchgate, Mumbai 400 020	India	Reserve Bank of India