

USA PATRIOT ACT Section 313 – Certification Process

All U.S. banks must obtain a signed certification from all non-U.S. bank clients conducting business with them. The certification form requires disclosure of ownership information, appointment of an agent for service of process, and representations that the non-U.S. bank client is not a "shell bank," as defined in the USA PATRIOT Act.

On October 26, 2001 President Bush signed into law the USA Patriot Act intended for the prevention and obstruction of terrorism. The Act places increasing demands on U.S. financial institutions, including U.S. branches of Commerzbank AG that maintain formal relationships and / or "correspondent accounts" on behalf of a foreign bank.

As per the Act, the term "correspondent account" goes beyond the traditional definition and includes not only regular accounts with foreign banks, but also relationships, where other financial transactions are also conducted.

Accordingly, Commerzbank North America (CBNA) and other covered financial institutions that maintain a formal relationship with a foreign bank or provide a "correspondent account" for a foreign bank must implement reasonable measures to ensure that the respondent foreign bank is not a foreign shell bank, is not using this "account" to provide banking services to a foreign shell bank, and is not engaging in any illegal activities. In addition, a covered financial institution must retain records that identify the owners of the foreign bank, if the shares of the foreign bank are not publicly traded, and the name and address of a person in the United States who serves as an authorized agent for records relating to such "correspondents accounts".

As part of the above measures, CBNA is required to obtain and keep on file a self-certified form signed by each non-U.S. bank/branch. All our valued relationships are requested to complete the certification and return it to us as soon as possible. Please bear in mind that the failure of a foreign bank to comply with this requirement will result in the termination of these "correspondent accounts" of the particular foreign bank as well as the business relationship (e.g., FX or MM transactions, swaps or options, etc.) until the required certification is provided.

Furthermore, recertifications are required every three years. The [certification form](#) as well as the [recertification form](#) is available by clicking on the respective links. The forms are in PDF format. In order to print or view it, you must have the Adobe Acrobat Reader installed on your computer.

Please print the form, fill it in, sign it and either email it to NYCVT@commerzbank.com or fax it to 212-266-7661 or mail it to the following address:

Commerzbank AG New York Branch
2 World Financial Center
Attn: Client Verification Team
New York, NY 10281-1050