

**CERTIFICATION REGARDING CORRESPONDENT ACCOUNTS FOR FOREIGN BANKS**

[OMB Control Number 1505-0184]

*The information contained in this Certification is sought pursuant to Sections 5318(j) and 5318(k) of Title 31 of the United States 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 U.S. broker-dealer in securities (a covered financial institution as defined in 31 C.F.R. 103.175(f)). 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 C.F.R. 103.11(o)). 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 C.F.R. 103.11(c)).<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 instruction for foreign branches of U.S. banks: A branch or office of a U.S. bank outside the United States 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 instruction 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, **NATIONAL BANK OF KUWAIT, SAK** Head Office and all of its overseas branches and subsidiaries as listed in the attachment (collectively the “**Foreign Banks**”), hereby certify as follows:
  
- B. Correspondent Accounts Covered by this Certification: (Check one box).
  - This Certification applies to all accounts established for Bank Entities 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).
  - Each of the Foreign Banks maintains a physical presence in a country. That means:
    - Each of the Foreign Banks has a place of business at the street address set forth 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.
    - Each of the Foreign Banks is authorized to conduct banking activities in the country where its place of business is located.
    - Each of the Foreign Banks is subject to inspection by the BANKING AUTHORITY that licensed the particular Foreign Bank to conduct banking activities as indicated 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 in the following street address:

\_\_\_\_\_  
where it employs one or more individuals on a full-time basis and maintains operating records related to its banking activities.

- The above address is in \_\_\_\_\_ (Country), where the depository institution, credit union, or foreign bank is authorized to conduct banking activities.
- Foreign Bank is subject to supervision by \_\_\_\_\_ (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. Bank Entities hereby certify that they do 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:

- 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 the Form.
- 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)).
- Each of the Foreign Banks 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 of the Foreign Banks; (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.

F. Process Agent:

The following individual or entity:

**National Bank of Kuwait SAK**

Is a resident of the United States at the following address:

**299 Park Ave., 17th Floor, New York, NY 10171-0023**


and is authorized to accept service of legal process on behalf of Bank Entities that have a Correspondent Account with a Covered Financial Institution 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:

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

Each of the Foreign Banks understands that each Covered Financial Institution at which they maintain a Correspondent Account may provide a copy of this Certification to the Secretary of the Treasury and the Attorney General or the United States. Each of the Foreign Banks further understands 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, **Isam Al-Sager**, 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 each or the Foreign Banks.

	[Signature]
<b>Isam Al-Sager</b>	[Name]
<b>Deputy Group Chief Executive</b>	[Title]
hereby certifies on behalf of:	[Title]
<b>NATIONAL BANK OF KUWAIT - SAK</b>	
A banking institution under the laws of <b>KUWAIT</b>	[Country]
that the statements made in this Certification true and correct as of <b>16-July-2011</b>	

**RECEIVED & REVIEWED BY:**

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

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

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

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

<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.

<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.

**Branches & Subsidiaries**  
**Covered by this Certification**

<b>Name</b>	<b>Address</b>	<b>Key Regulators</b>
National Bank of Kuwait SAK <i>Head Office &amp; Local Branches</i>	Abdullah Al Ahmad Street 13001 Safat, Kuwait	Central Bank of Kuwait
National Bank of Kuwait (Int'l) PLC	13 George Street London W1U 3QJ, United Kingdom	Financial Services Authority
National Bank of Kuwait (Int'l) PLC	90 Avenue des Champs-Elysees 75008 Paris, France	Financial Services Authority (UK) Banque de France
NBK Banque Privee (Suisse) S.A.	21 Quai du Mont-Blanc CH-1211 Geneva 1, Switzerland	Swiss Federal Banking Commission
National Bank of Kuwait (Lebanon) SAL	BAC Building, Justinien Street Sanayeh, Beirut, Lebanon	Banque Du Liban
National Bank of Kuwait SAK (Bahrain)	GBCorp Tower, Block 346, Road 4626, Building 1411 Manama, Kingdom of Bahrain	Central Bank of Bahrain
Al Watany Bank of Egypt	13 El-Semar Street, Gameat El dewal Al-Arabia Mohandessin, Giza Egypt	Central Bank of Egypt
National Bank of Kuwait SAK (Singapore)	20 Collyer Quay Hex 20-00 Tung Center, Singapore 049319	Monetary Authority of Singapore
National Bank of Kuwait SAK (Jordan)	Al Hajj Mohd Abdul Rahim Street Hijazi Plaza, Building #70, Amman 11194, Jordan	Central Bank of Jordan
National Bank of Kuwait SAK (Saudi Arabia)	Al Khalidiah District, Al Mukmal Tower, Jeddah, Saudi Arabia	Saudi Arabian Monetary Agency
National Bank of Kuwait SAK (Dubai)	ACICO Business Park Building, Sheikh Rashid Road, P.O Box 88867 Deira, Dubai, U.A.E.	Central Bank of the United Arab Emirates
Credit Bank of Iraq	Street 9, Building 187 Al Sadoun Street, Baghdad, Iraq	Central Bank of Iraq

## PART II

Regulated Affiliate of Foreign Bank covered by the Certification given for the purposes of complying with Title 31 Section 5318(j) and 5318(k) for Bank Affiliates that Do Not Maintain a Physical Presence in a Country.

<b>Name</b>	<b>Address</b>	<b>Banking Authority</b>	<b>Ownership</b>
National Bank of Kuwait SAK	C/o. Scotiabank & Trust Co. (Cayman) Ltd., Cayman Island Branch, P.O. Box 501, George Town, 6 Cardinal Ave, Cayman Islands	Cayman Islands Monetary Authority; Office of the Comptroller of the Currency	100% by NBK SAK