

# BAYERISCHE LANDESBANK (BAYERNLB) GLOBAL CERTIFICATION

## REGARDING CORRESPONDENT ACCOUNTS FOR BAYERISCHE LANDESBANK

*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)).\*

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, Bayerische Landesbank and its branches as listed in Appendix I, hereby certifies as follows:

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\* 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:

This Certification applies to all accounts established for Bayerische Landesbank by Covered Financial Institutions.

C. Physical Presence/Regulated Affiliate Status:

Bayerische Landesbank maintains a **physical presence** in any country. That means:

- Bayerische Landesbank has a place of business at the following street address:  
  
Brienner Strasse 18, 80333 Munich, where Bayerische Landesbank employs one or more individuals on a full-time basis and maintains operating records related to its banking activities.
- The above address is in Germany, where Foreign Bank is authorized to conduct banking activities.
- Bayerische Landesbank is subject to inspection by BAFIN (Bundesanstalt fuer Finanzdienstleistungsaufsicht), the banking authority that licensed Bayerische Landesbank to conduct banking activities.

D. Indirect Use of Correspondent Accounts:

No Correspondent Account maintained by a Covered Financial Institution may be used to indirectly provide banking services to certain foreign banks. Bayerische Landesbank 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:

**Form FR Y-7 is on file.** Bayerische Landesbank 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.

F. Process Agent:

The following individual or entity: Lorraine Briganti, Bayerische Landesbank New York Branch is a resident of the United States at the following street address: 560 Lexington Avenue, New York, N.Y. 10022, 22<sup>nd</sup> Floor, and is authorized to accept service of legal process on behalf of Bayerische Landesbank 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

Bayerische Landesbank hereby agrees to notify in writing each Covered Financial Institution at which it 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.

Bayerische Landesbank understands that each Covered Financial Institution at which it 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. Bayerische Landesbank 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, Franz Dohnal, certify that I have read and understood 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 Bayerische Landesbank (BayernLB).**

**Franz Dohnal**

Chief Compliance Officer  
Bayerische Landesbank

Executed on this 01. of January, 2010.

## Appendix I

Name	Address
<b>Foreign Branches</b>	
<b>Bayerische Landesbank Shanghai Branch</b>	Bayerische Landesbank Shanghai Branch 17/F., Hua Du Mansion 828-838 Zhang Yang Road Pudong Shanghai 200122 People’s Republic of China  Local authority: People’s Bank of China
<b>Bayerische Landesbank Hongkong Branch</b>	Bayerische Landesbank 19/F.Standard Chartered Bank Building 4A, Des Voeux Road Central Hong Kong  Local authorities: Hong Kong Monetary Authority (HKMA), Securities and Futures Commission (SFC)
<b>Bayerische Landesbank Milan Branch</b>	Bayerische Landesbank Niederlassung Mailand Via Cordusio, 2 I- 20123 Milano  Local authority: Bank of Italy (Ufficio Italiano dei cambi)
<b>Bayerische Landesbank Luxembourg Branch</b>	Bayerische Landesbank  Niederlassung Luxemburg B.P.486, L-2014 Luxemburg 3, rue Jean Monnet L-2180 Luxemburg  Local authority: Commission de Surveillance du Secteur Financier (CSSF)

<b>Bayerische Landesbank London Branch</b>	Bayerische Landesbank Bavaria House 13/14 Appold Street London EC2A 2NB  Local authority: Financial Services Authority (FSA)
<b>Bayerische Landesbank New York Branch</b>	Bayerische Landesbank Niederlassung New York 560 Lexington Avenue New York, N.Y. 10022 22nd Floor  Local authority: OCC (Comptroller of the Currency)
<b>Bayerische Landesbank Cayman Branch</b>	P.O. Box 15866T, Georgetown, Grand Cayman, Cayman Islands, Managed by Bayerische Landesbank New York Branch, 560 Lexington Avenue, New York, NY 10022;  Local Authority: Cayman Islands Monetary Authority (CIMA)
<b>Bayerische Landesbank Paris Branch</b>	Bayerische Landesbank 203,rue du Faubourg Saint-Honoré F-75380 Paris Cedex 08  Local authorities: TRACFIN (Ministry of Finance), Commission Bancaire