# BANK OF HAWAII CERTIFICATION REGARDING CORRESPONDENT ACCOUNTS FOR FOREIGN BANKS

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. 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 C.F.R. 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 C.F.R. 1010.100(d)).\*

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, Bank of Hawaii and its foreign branches and offices as listed in the attachment hereto (collectively, "Bank of Hawaii"), hereby certify as follows:

#### **B.** Correspondent Accounts Covered by this Certification:

This Certification applies to all accounts established for Bank of Hawaii by Covered Financial Institutions.

## C. Physical Presence/Regulated Affiliate Status:

Bank of Hawaii maintains a physical presence. That means that Bank of Hawaii:

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;

- Is authorized to conduct banking activities in the country where its place of business is located;
- Is subject to inspection by the banking authority as indicated in the attachment hereto, that licensed the particular entity 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. Bank of Hawaii 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:

Bank of Hawaii is owned by the Bank of Hawaii Corporation, whose shares are publicly traded. Publicly traded means that the shares are traded on an exchange or an organized overthe-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)).

#### F. Process Agent:

The following individual or entity: Bank of Hawaii, Attention: Custodian of Records, is a resident of the United States at the following street address: Pioneer Plaza, 900 Fort Street Mall, Suite 800, Honolulu, Hawaii, 96813, and is authorized to accept service of legal process on behalf of Bank of Hawaii 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

Bank of Hawaii 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.

Bank of Hawaii 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. Bank of Hawaii 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, Jeffrey Yamamoto, 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 Bank of Hawaii.

Jeffrey Yamamoto Senior Vice President, BSA/AML/OFAC Officer Corporate Compliance Bank of Hawaii 130 Merchant Street, 20<sup>th</sup> floor Honolulu, Hawaii, USA 96813 Updated on May 9, 2019

<sup>\*</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.

## ATTACHMENT TO BANK OF HAWAII CERTIFICATION REGARDING CORRESPONDENT ACCOUNTS FOR FOREIGN BANKS

BANK OF HAWAII ENTITIES	STREET ADDRESS	BANKING AUTHORITY
HEAD OFFICE		
Bank of Hawaii	130 Merchant Street Honolulu, HI, USA 96813	<ul> <li>Federal Reserve Bank – San Francisco</li> <li>State of Hawaii – Department of Financial Institutions</li> </ul>
OVERSEAS BRANCH		
Bank of Hawaii Koror Branch	P. O. Box 340 Koror, Republic of Palau 96940	Republic of Palau Financial Institutions Commission
		Federal Reserve Bank – San Francisco
		State of Hawaii – Department of Financial Institutions