

## MERCANTILE BANK LIMITED 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. 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, **Mercantile Bank Limited ("Foreign Bank")** hereby certifies as follows:

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

This Certification applies to **all** accounts established for Mercantile Bank Limited by Covered Financial Institutions.

\* 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.

**C. Physical Presence/Regulated Affiliate Status:**

Foreign Bank maintains a **physical** presence in a country. That means:

- Mercantile Bank (the Foreign Bank) has a place of business at the following street address: **142 West Street, Sandown, 2196, Gauteng** 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 **South Africa**, where it is authorized to conduct banking activities.
- Mercantile Bank Limited is subject to inspection by the South African Reserve Bank, the banking authority that licensed the Foreign Bank 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. **Mercantile Bank Limited** hereby certifies that we 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:**

**3. Mercantile Bank Limited** has no **owner(s)** except as set 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) member of the same family\* shall be considered one **person**.

<b>Name</b>	<b>Address</b>
Caixa Geral de Depositos ("CGD"): · CGD owns 91.75% of the issued shares in Mercantile Bank Holdings Limited. · CGD is wholly owned by the Portuguese Government and its shares are not publicly traded.	Av. Joao XXI 63, 1000-300, Lisbon Portugal
Mercantile Bank Holdings Limited, in turn owns Mercantile Bank Limited	142 West Street, Sandown, Johannesburg, South Africa.

\*the same family means parent, spouses, children, siblings, uncles, aunts, grandchildren, first cousins, stepchildren, stepsiblings, parents-in-law and spouses of any of the foregoing. In determining the ownership interest of the same family, any voting interest of any family member shall be taken into account.

**F. Process Agent:**

The following individual or entity: **Caixa Geral de Depositos** is a resident of the United States at the following street address: **733 Third Avenue, 22<sup>nd</sup> Floor New York, NY 10017** and is authorised to accept service of legal process on behalf of Foreign Bank from the Secretary of the Treasury of the Attorney General of the United States pursuant to Section 5318(k) of title 31, United States Code.

**G. General**

**Mercantile Bank Limited** 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.

**Mercantile Bank Limited** 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. **Mercantile Bank Limited** 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, Eddie Agrella (name of signatory), certify that I have read and understand this Certification, that the statements made in this Certification are complete and correct, and that I am authorised to execute this Certification on behalf of **Mercantile Bank Limited** (the foreign bank).

**Eddie Agrella**  
**Money Laundering Control Officer**  
**Mercantile Bank Limited**

**Executed on this 03 day of November 2009**