

REGULATIONS OF THE INTERNATIONAL FOREIGN EXCHANGE AND CAPITAL MARKET (Circular 3291 from September 08, 2005)

TITLE 1: 1 - Foreign Exchange Market

CHAPTER 6 - Documentation of operations and client registration

1. Agents authorized to operate in the foreign exchange market must develop mechanisms that enable the prevention of operations that constitute artifices aimed at evading the instruments of identification, amount restrictions and client registration, as prescribed in the regulations.

2. Agents authorized to operate in the market are responsible for adopting, in relation to the documents that support their operations, all of the procedures required to avoid their reuse and the subsequent duplication of their effects.

3. The realization of operations in the foreign exchange market is subject to documental substantiation.

4. The documents related to foreign exchange transactions must be maintained in the records of the respective agent in either physical or electronic form, for a period of five years, starting from the termination of the fiscal year in which the transaction was contracted, or, if the case, the liquidation, cancellation or write-off, in a manner that enables, in the case of an electronic file, the Brazilian Central Bank to verify, immediately and with no burden:

- a) The original document file and the digital signature files of the document parts and respective digital certificates under the scope of the ICP-Brazil, in cases in which the regulations require the storing of the original document;
- b) The document file, in cases in which the regulations do not require that the original document be stored.

5. The agent authorized to operate in the foreign exchange market may waive the requirement to present documentation in the situations provided for in regulations.

6. The agents authorized to operate in the foreign exchange market must authenticate the identification of their clients, by carrying out, among other measures deemed pertinent, their identification and evaluation of performance, commercial procedures and financial capacity, organizing and maintaining up to date the registration information and the substantiating documents by physical or electronic means, in such ensuring that the Brazilian Central Bank is able to verify the file immediately and without burden.

7. The registration information must contain the following information and be associated with the following substantiating documents:

a) In the case of a legal entity governed by private law:

- I - Company name - copy of the articles of incorporation and, if these have been amended, a copy of the most recent amended version;
- II - Full address and telephone number - copy of the document that certifies the address (certificate issued by the applicable legal authority or a bill issued by a public service operator;

III - Copy of the company's last balance sheet, if required, for fiscal periods ended less than 18 (eighteen) months prior;

IV - Bank(s) with it operates and where it holds a current account;

V - In the case of a manual signature on the foreign exchange contract or ticket, the signature card containing the name, personal information and example of the signatures of the representatives authorized by the company to sign foreign exchange contracts, with said card containing and authentication by a bank authorized to operate in the foreign exchange market, given that said representatives are intermediaries of foreign exchange operations.

b) In the case of a legal entity governed by public law or representing a foreign government, using a manual signature on the foreign exchange contract or ticket: only signature cards containing the name, personal information and examples of the signatures of the representatives authorized by the legal entity governed by public law or by the foreign government representative office to sign foreign exchange contracts;

c) In the case of an individual: the name, identification document (and the issuing government agency) or passport, depending on the case, CPF individual taxpayers registry number, residential and work addresses, nationality and profession.

8. The documents described in the previous item must be maintained by the authorized agents for a period of five years, counting from the settlement of the last transaction carried out in the foreign exchange market involving the client, for presentation to the Brazilian Central Bank whenever solicited.

9. The requirement of a registration file is waived in the case of transactions involving amounts equal to or less than R\$ 10.000,00, carried out by agents authorized to operate in the foreign exchange market.

10. In the case of the digital signature of the foreign exchange contract or ticket under the scope of the ICP-Brazil, the agents participating in the transaction are responsible for verifying the adequate use of the digital certification of the other participants, including the powers of the other signatories and the validity of the digital certificates involved.

11. Advance registration is required of clients buying and selling foreign currencies at the brokerage company that intervenes in the respective transaction, in accordance with this chapter.

12. The breach of any requirement described in the previous item shall result in the application of the penalties prescribed by the current legislation.