

## COMPLIANCE CERTIFICATION FOR BUSINESS AND PURCHASING CUBA CREDIT CARD ACCOUNTS

By signing your name below, you represent and certify that you have been duly authorized by \_\_\_\_\_ [insert name of corporate entity] as an authorized user of a Stonegate Bank Business and/or Purchasing Credit Card account held in the name of \_\_\_\_\_ [insert name of corporate entity] (the "Account") and/or a MasterCard® credit card issued in your name corresponding to the Account. You acknowledge that you have read, understand and agree to the terms of this Cuba compliance certification regarding your use of the Account and/or MasterCard® credit card issued in your name corresponding to the Account. You certify that you are not a Cuban national and further acknowledge that you are familiar with the restrictions on transactions involving Cuba or any Cuban national contained in the Cuban Assets Control Regulations ("CACR") published by the U.S. Office of Foreign Assets Control ("OFAC") at 31 C.F.R. § 515.201, *et seq.*

Except for a limited set of exempt or authorized transactions, the United States continues to maintain a comprehensive travel and trade embargo on Cuba in accordance with the terms of the CACR. The CACR significantly restricts your ability to engage in transactions in Cuba, or otherwise with respect to Cuba or any Cuban national, and the Account and/or MasterCard® credit card issued in your name corresponding to the Account may not be used for any Cuba-related transaction not authorized by the CACR or by specific license issued by OFAC. The CACR is subject to change by OFAC. Links to the text of the CACR and answers to frequently asked questions are available at [www.treasury.gov/resource-center/sanctions/Programs/pages/cuba.aspx](http://www.treasury.gov/resource-center/sanctions/Programs/pages/cuba.aspx).

The specific provisions of the CACR summarized below are intended only as a relevant sample of the restrictions on Cuba-related transactions and activities imposed by the CACR, and are not a substitute for your review and comprehension of the full text of the CACR.

- You may travel to Cuba if you qualify for at least one of the following 12 main categories of authorized travel: (1) family visits; (2) official business of the U.S. government, foreign governments and certain intergovernmental organizations; (3) journalistic activity; (4) professional research and meetings; (5) educational activities, including people-to-people educational exchanges; (6) religious activities; (7) public performances, clinics, workshops, athletic and other competitions and exhibitions; (8) support for the Cuban people; (9) humanitarian projects; (10) activities of private foundations or research or educational institutes; (11) exportation, importation, or transmission of information or informational materials; and (12) in connection with authorized Cuba-related export transactions. *See* 31 C.F.R. § 515.560(a). Travel to Cuba is also authorized by the CACR in other limited circumstances, such as for crewmembers of aircraft and vessels transporting licensed passengers between the U.S. and Cuba. *See* 31 C.F.R. § 515.533(d)(2).
- Transactions and activities in connection with tourist travel to Cuba remain prohibited. *See* 31 C.F.R. § 515.560(f).
- Permitted transactions for authorized travel to Cuba are limited to the following: (1) transportation-related transactions incident to travel to and from Cuba; (2) transactions incident to travel within Cuba, including payment of living expenses and acquisition of goods for personal consumption; (3) transactions incident to carrying out the purpose of your authorized visit to Cuba; (4) transactions related to obtaining health, life and travel insurance for your authorized travel to Cuba, and receipt of and payment for emergency medical services in Cuba; (5) opening and closing bank accounts in Cuba for use only while you are located in Cuba and only in connection with authorized transactions; and (6) the acquisition in Cuba of personal merchandise not exceeding \$400 per person with a limit of \$100 on alcohol and tobacco products, which limit does not apply to information and informational materials such as artwork, publications, films, posters and photographs that are fully created at the time of acquisition in Cuba which may be brought back to the U.S. without regard to the \$400 limit. *See* 31 C.F.R. § 515.560(c), *et seq.*
- U.S. individuals and business entities may engage in transactions, including payments, necessary to import certain goods and services produced by independent Cuban entrepreneurs as determined by the U.S. Department of State on its Section 515.582 List, available at

[www.state.gov/e/eb/tfs/spi/cuba/515582/237471.htm](http://www.state.gov/e/eb/tfs/spi/cuba/515582/237471.htm), without regard to the \$400 limitation on importation of Cuban merchandise for personal use. *See* 31 C.F.R. § 515.582.

- The Account's available credit may be transferred by wire to an account at a financial institution in Cuba to be used only by an authorized U.S. traveler while located in Cuba to access funds for transactions authorized by the CACR and, conversely, when closing such an account maintained at a financial institution in Cuba, funds may be transferred from such account by wire to the Account to reduce an outstanding credit balance. *See* 31 C.F.R. § 515.560(c).
- Certain transactions which are otherwise authorized by the CACR expressly prohibit U.S. individuals and business entities transferring funds or making other payments to (1) prohibited Cuban government officials (i.e., ministers and vice-ministers; members of the Council of State and the Council of Ministers; members and employees of the National Assembly of People's Power; members of any provincial assembly; local sector chiefs of the Committees for the Defense of the Revolution; director generals and sub-director generals and higher of all Cuban ministries and state agencies; employees of the Ministry of the Interior (MININT); employees of the Ministry of Defense (MINFAR); secretaries and first secretaries of the Confederation of Labor of Cuba (CTC) and its component unions; chief editors, editors and deputy editors of Cuban state-run media organizations and programs, including newspapers, television and radio; and members and employees of the Supreme Court of Cuba) or (2) prohibited Cuban Communist Party members (i.e., members of the Politburo, the Central Committee, department heads and employees of the Central Committee, and secretaries and first secretaries of the provincial party central committees). *See* 31 C.F.R. §§ 515.337, 515.338, 515.421. **Prior to engaging in any transaction with a prohibited Cuban government official or communist party member, it must be verified that the terms of the CACR or specific license issued by OFAC authorizing the transaction or activity do not prohibit transfers or payments to such person(s).**
- Unless expressly authorized by the CACR or a specific license issued by OFAC, the Account and MasterCard® credit card issued in your name corresponding to the Account may not be used for general investment in Cuba. *See* 31 C.F.R. § 515.570.
- Remittances (e.g., sending money) to recipients in Cuba from the Account are authorized in certain instances, including the following: (1) remittances to close relatives (i.e., any individual related to a person by blood, marriage or adoption who is no more than three generations removed from that person or from a common ancestor with that person) who are Cuban nationals, provided the remitter is at least 18 years old and the remittances are not made to prohibited Cuban government officials or communist party members (as defined above) and are not for emigration-related purposes; (2) donative remittances to Cuban nationals, provided the remitter, if an individual, is at least 18 years old and the remittances are not made to prohibited Cuban government officials or communist party members (as defined above) and are not for emigration-related purposes; (3) remittances to religious organizations in Cuba, provided the remitter, if an individual, is at least 18 years old; (4) remittances to close relatives (as defined above) who are students in Cuba for the purpose of funding transactions authorized by general license at 31 C.F.R. § 515.565(a) or specific license issued under 31 C.F.R. § 515.565(d), provided the remitter is at least 18 years old; (5) remittances to Cuban individuals and independent non-governmental entities to support (i) authorized humanitarian projects designed to benefit the Cuban people, (ii) the development of private businesses and (iii) the Cuban people generally through activities of human rights organizations, independent organizations promoting transition to democracy and individuals and non-governmental organizations promoting independent activity to strengthen Cuban civil society. *See* 31 C.F.R. § 515.570.

You hereby agree that your use of the Account and/or the MasterCard® credit card(s) issued in your name corresponding to the Account will comply with the CACR in all respects. You also agree that the Account and/or MasterCard® credit card issued in your name corresponding to the Account will not be used by you, and that you will not permit any other person to use the Account or MasterCard® credit card issued in your name corresponding to the Account, for any Cuba-related transaction or activity not authorized by the CACR or by specific license issued by OFAC.

Print Full Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Country of Birth: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Please check off appropriate box and initial the statement.

\_\_\_\_\_(Initial) I am a U.S Citizen.

\_\_\_\_\_(Initial) I am a U.S. Permanent Resident Alien.

\_\_\_\_\_(Initial) I am a Non-Resident Alien. You must also provide a copy of your passport. Please mail or fax it along with this certification:

Passport Number: \_\_\_\_\_

Country of Issuance: \_\_\_\_\_

Please mail to: Stonegate Bank, ATTN: Cuba Banking Manager, 3021 Airport Pulling Road, Naples, FL 34105, or fax to (239)449-4383.

I hereby certify that I have read, understand and agree to the terms of this Cuba compliance certification.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_