

## CERTIFICATION REGARDING CORRESPONDENT ACCOUNTS FOR FOREIGN BANKS

[OMB CONTROL NUMBER 1506-0043]

*The information contained in this Certification is sought pursuant to Sections 5318(j) and 5318(k) of Title 31 of the United State 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**<sup>1</sup> that maintains a **correspondent account** with any U.S. bank or broker-dealer in securities (a **covered financial institution** as defined in 31 CFR 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 CFR 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 CFR 1010.100(d)).<sup>1</sup>

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 instructions for foreign branches of U.S. banks:* A branch or office of a U.S. bank outside the United State 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 instructions 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, **E.SUN Commercial Bank, Ltd. and all of its overseas branches as listed in the attachment** (the “**E.SUN Bank entities**”), hereby certifies as follows:

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<sup>1</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.

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

This Certification applies to **all** accounts established for **E.SUN Bank entities** by Covered Financial Institutions.

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

Each of the **E.SUN Bank entities** maintains a **physical presence** in any country. That means that each of the E.SUN Bank Entities listed in the attachment hereto:

- 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 this 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 identified 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. **E.SUN Bank entities** 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:**

**E.SUN Financial Holding Company Ltd.**, located at 14F, No.117 & 1F, No.115, Sec.3, Minsheng E. Rd., Songshan District, Taipei, Taiwan, is a 100% direct owner of **the E.SUN Bank entities**. 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) members of the same family<sup>2</sup> shall be considered one **person**.

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<sup>2</sup> The same family means parents, spouses, children, siblings, uncles, aunts, grandparents, grandchildren, first cousins, stepchildren, stepsiblings, parents-in-law and spouses of any of the foregoing. In determining the ownership interests of the same family, any voting interest of any family member shall be taken into account.

**F. Process Agent:** complete the following.

**E.SUN Commercial Bank, Ltd. Los Angeles Branch** is a resident of the United States at the following address: **17700 Castleton street, Suite 500, City of Industry, CA 91748 USA, and** is authorized to accept service of legal process on behalf of **E.SUN Bank entities** 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**

**E.SUN Bank entities** hereby agrees to update this Certification published on the website whenever there is any change in facts or circumstances reported in this Certification. Given the signature date in this Certification, the Covered Financial institution can accurately examine when it is updated. The update will be completed within 30 calendar days of such change.

**E.SUN Bank entities** 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. **E.SUN Bank entities** further understand 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, **Maggy Chou**, 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 **E.SUN Bank entities**.

  
[Signature]

Maggy Chou  
Executive Vice President  
E.SUN Commercial Bank, Ltd  
Executed on this 21<sup>st</sup> day of October, 2022.

**Received and reviewed by:**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

For: \_\_\_\_\_

[Name of Covered Financial Institution]

Date: \_\_\_\_\_

[67 FR 60573, Sept. 26, 2002]

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## ATTACHMENT TO CERTIFICATION REGARDING CORRESPONDENT ACCOUNTS FOR E.SUN BANK ENTITIES

| <b>Entity Name</b>                 | <b>Address</b>   | <b>City/Country</b>                                   | <b>Banking Authority (Note 1)</b>             |
|------------------------------------|--|---|---|
| <b>Head Office</b>                 |  |   |   |
| Head Office                        | No.115 & 117, Sec.3, Minsheng East Rd.<br>Taipei, Taiwan   | Taipei<br><b>Taiwan</b>                               | Financial Supervisory<br>Commission           |
| <b>Foreign Branches and Office</b> |  |   |   |
| Los Angeles Branch                 | 17700, Castleton street, Suite 500,<br>City of Industry, CA 91748 USA  | City of Industry<br><b>United States</b>              | Federal Reserve Bank                          |
| Hong Kong Branch                   | Suite 2805, 28th Floor, Tower 6, The Gateway, 9<br>Canton Rd., Tsimshatsui, Kowloon, Hong Kong   | Kowloon<br><b>Hong Kong</b>                           | Hong Kong Monetary<br>Authority               |
| Singapore Branch                   | 8 Marina View, Asia Square Tower 1 #41-06,<br>Singapore 018960   | <b>Singapore</b>                                      | Monetary Authority<br>Supervisory             |
| Dong Nai Branch                    | Suites 101 & 209, Amata Service Center Building,<br>Amata Commercial Complex, Long Binh Ward,<br>Bien Hoa City, Dong Nai Province, Vietnam | Bien Hoa City Dong<br>Nai Province,<br><b>Vietnam</b> | State Bank of Vietnam                         |
| Sydney Branch                      | Suite 1, Level 35, 259 George Street,<br>Sydney, NSW 2000, Australia   | Sydney<br><b>Australia</b>                            | Australian Prudential<br>Regulation Authority |
| Brisbane Branch                    | Suite 2, Level 34, 123 Eagle Street,<br>Brisbane, QLD 4000, Australia  | Brisbane<br><b>Australia</b>                          | Australian Prudential<br>Regulation Authority |
| Yangon Branch                      | Level 21, Myanmar Centre Tower 1, No.192, Kabar Aye<br>Pagoda Road, Bahan Tsp., Yangon, Myanmar  | Yangon<br><b>Myanmar</b>                              | Central Bank of Myanmar                       |
| Tokyo Branch                       | Marunouchi Bldg, 34F, 2-4-1 Marunouchi,<br>Chiyoda-ku, Tokyo, Japan 100-6334   | Tokyo<br><b>Japan</b>                                 | Financial Services Agency                     |

**Note1** In addition to the primary banking authorities mentioned above, these entities are also subject to supervision by Financial Supervisory Commission of Taiwan.