

**APPLICATION OF A FOREIGN BANK CORPORATION
FOR A FIDUCIARY LICENSE
IN THE STATE OF TEXAS**

All information submitted to the Texas Department of Banking is presumed to be public information unless it is deemed confidential under the Texas Open Records Act. Any document in the application for which you request confidential treatment must be segregated and reference the Texas Open Records Act exception supporting the request. Final determination as to the confidentiality of any information will rest with the Banking Commissioner. Inquiries concerning the preparation and filing of this or any other application with the Department should be directed to the Corporate Activities Division of the Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705-4294 (512/475-1322).

TO: Banking Commissioner of Texas
Department of Banking
2601 North Lamar Boulevard
Austin, Texas 78705-4294

_____, a foreign bank corporation duly incorporated and existing under the laws of _____, hereby makes application for a fiduciary license in the State of Texas.

Please address the following as properly numbered and indexed attachments to the application.

1. Include a non-refundable check made payable to the Texas Department of Banking for the applicable filing fee prescribed in Title 7 of the Texas Administrative Code §15.2.
2. Address of principal office in country of domicile of the foreign bank corporation filing the application.
3. The actual street and post office address of the foreign bank agency or branch offices where fiduciary activities requiring this fiduciary license will be conducted.
4. Provide the name, title, qualifications, and brief biographies for each officer and employee of the foreign bank corporation who will have control of all or part of the fiduciary business and related affairs at the foreign bank agency or branch.
5. Certified copy of a duly adopted resolution of (1) the Board of Directors of the foreign bank corporation, or (2) managing director, or (3) other empowered executive committee, evidencing its support of this application and evidencing the names and titles of all persons authorized to sign and deliver this application and any related documents, as well as certified incumbency certificates with regard to such persons.
6. A detailed financial statement of the foreign bank corporation as of a date not greater than 360 days before the date of the application.
7. An authenticated copy of the foreign bank corporation's certificate of formation and bylaws (or other equivalent constitutive documents). If these documents are in a

language other than English, a translation of all such documents, under the oath of the translator, must be attached to the authenticated copy.

8. A certification by the chartering agency in the country in which the foreign bank corporation is domiciled stating that the foreign bank corporation has complied with the laws of that country and has all necessary powers under their charter to engage in the fiduciary activities they are seeking. If certification is not available from such chartering agency, the foreign bank corporation may substitute an opinion of acceptable legal counsel licensed to practice law in the country in which the foreign bank corporation is domiciled, to the effect that (1) the bank chartering agency in such country will not furnish such a certificate, (2) the foreign bank corporation has complied with the laws of such country, and (3) the foreign bank corporation has all necessary powers under its charter and pursuant to its organizational documents to engage in the fiduciary activities it is seeking.
9. Confirm that the applicant is and will remain in compliance with Section 201.102 of the Texas Finance Code.
10. Copies of any other applications filed with other state or federal agencies in connection with this fiduciary application license.
11. Provide a detailed description of the types of fiduciary activities to be conducted and related trust services to be offered.
12. Provide estimated start-up costs, projected balance sheets, income statements, and contingent liabilities associated with the proposed fiduciary activities for the first three years of operations, including assumptions made in formulating projections.
13. Provide in detail the manner in which the fiduciary activities will be compiled and maintained in the books and records of the Texas agency or branch with due regard for separation of beneficial and legal interests.

I certify that the preceding application and the attached supporting documents are true and correct to the best of my knowledge.

(Foreign Bank Corporation)

(Name)

(Title)

Dated: _____

ACKNOWLEDGEMENT

City of _____, SS.: _____

Country of _____

On this _____ day of _____, _____, before me personally came _____, to me known, who being by me duly sworn, deposes and says that he/she resides at _____; that he/she is _____ of _____, the foreign bank corporation described in the foregoing instrument; and that he/she executed the foregoing instrument on behalf of such corporation with due authorization of the Board of Directors of such corporation and as the act of such corporation and in his/her official capacity as _____ for such corporation.

[L.S.]

Title of Acknowledging Officer: _____

Note: This acknowledgement may be made outside of the United States and its territories by a minister, a commissioner, a charge d'affairs, a consul-general, a consul, a vice-consul, a commercial agent, a vice-commercial agent, a deputy consul or a consular agent of the United States, resident and accredited in the country where the acknowledgement is made. The seal of his/her office or the seal of the consulate or legation to which he/she is attached should be affixed.