



## EXPORT-IMPORT BANK of the UNITED STATES

# APPLICATION FOR APPROVED FINANCE PROVIDER

This application is to be completed by a financial institution in order to become an **Approved Finance Provider**. An Approved Finance Provider may make loans insured by Ex-Im Bank policies of insurance and may enter into one or more Master Guarantee Agreements with Ex-Im Bank. A Master Guarantee Agreement (MGA) allows the Approved Finance Provider to easily present multiple loan or lease transactions to Ex-Im Bank for approval, and upon approval, to make loan disbursements or lease deliveries that will be guaranteed by Ex-Im Bank. In the future an online version of this application will be available on Ex-Im Bank's web site.

Send this completed application to Ex-Im Bank, 811 Vermont Ave NW, Washington, D.C. 20571. Ex-Im Bank will also accept electronic scans and faxed applications. Ex-Im Bank will not require the originals of the application materials to be mailed. Applications sent electronically or by fax must include the signed application and all required attachments. (Fax number: 202.565.3675, e-mail: [exim.applications@exim.gov](mailto:exim.applications@exim.gov))

Note: A separate application must be completed for each subsidiary or affiliate that is a separate legal entity. All information should be in English. The Applicant must complete this Application every three years to remain an active Approved Finance Provider.

### APPLICANT INFORMATION

<b>Applicant Name:</b>		<b>Phone #:</b>
<b>Contact Person:</b>		<b>Fax #:</b>
<b>Position Title:</b>		<b>E-mail:</b>
<b>Street Address:</b>		<b>Nine-digit zip code:</b>
<b>City:</b>	<b>State/Province:</b>	<b>Country:</b>
<b>DUNS Number:</b>		

Does the Applicant have a market rating? Yes  No

If yes, provide the name of the rating agency, rating, and the date of the rating.

Is the Applicant regulated by a State/Provincial or Federal regulatory agency? Yes  No

If yes, provide the name of the regulatory agency.

An Approved Finance Provider may provide financing under any of the following Ex-Im Bank programs. Please check all programs being requested.

- Master Guarantee Agreement – Medium Term Loan Credits
- Master Guarantee Agreement – Long Term Loan Credits
- Master Guarantee Agreement – Agency - Medium Term Loan Credits
- Master Guarantee Agreement – Agency - Long Term Loan Credits
- Master Guarantee Agreement – Medium Term Finance Lease Credits
- Insured Lender (Medium Term, Bank Letter of Credit, Financial Institution Buyer Credit)

## 1. REQUIRED SUPPLEMENTAL INFORMATION

- a. Description of Applicant's organization, including: type of lending institution (commercial bank, finance company, etc.), type of organization (corporation, partnership, etc.), and business activities.
- b. Audited annual financial statements for the two most recent fiscal years (parent consolidated statements if Applicant does not prepare separate financial statements).
- c. Full names and city and country of residence of all of Applicant's (i) owners or stockholders with an interest in excess of 10% and (ii) members of the Board of Directors.
- d. Description of Applicant's trade finance experience and a description of the trade finance experience of each member of senior management and each person who will be responsible for the Ex-Im Bank relationship, including each person who will sign the MGA (if one is being requested) or other documents to be submitted to Ex-Im Bank.
- e. Description of Applicant's target market(s) and transaction origination plans, including whether Applicant will employ third-parties to originate transactions and the process Applicant has used or will use to select and compensate such parties.
- f. Description of Applicant's transaction due diligence and "know-your-customer" processes. Please note Applicant is expected to conduct due diligence in accordance with good industry practices. Ex-Im Bank encourages each Applicant to review and consider Ex-Im Bank's "Transaction Due Diligence Best Practices" published on Ex-Im Bank's internet website.
- g. Certificate of Good Standing or other similar document issued by Applicant's regulating entity or chartering authority.
- h. **For Applicants for Finance Lease MGA only:** A brief description of the Applicant's international leasing experience, including: (i) years engaged in leasing both domestically and internationally; (ii) number of leases during the current and past two years, broken down by domestic and international leases; (iii) size of leasing portfolio at the end of the most recent fiscal year, with percentage breakdowns by financing vs. operating leases and top five countries; and (iv) name and percentage of any lessees that represent more than 5% of the leasing portfolio at the end of the most recent fiscal year.

## 2. ADDITIONAL INFORMATION REQUIRED FOR UNREGULATED FINANCIAL INSTITUTIONS AND ALL INSTITUTIONS DOMICILED IN AN OECD CATEGORY II COUNTRY

- a. Description of how Applicant plans to fund transactions. If Applicant does not plan to fund the transactions from internal sources, specify how transactions will be funded and by whom (Ex-Im Bank may require evidence of agreements demonstrating the availability of outside funding).
- b. State whether Applicant intends to retain or sell Ex-Im Bank guaranteed or insured transactions. If Applicant intends to sell the transactions, identify the purchaser (Ex-Im Bank may require evidence of purchase agreements).
- c. Describe Applicant's loan servicing and loan monitoring capabilities and experience. If an outside entity will service the transactions, identify this entity and its experience.
- d. Credit report from a third party source dated within six-months of the date of this application, and a bank reference.

## CERTIFICATIONS AND NOTICES

**The Applicant** (hereafter "Applicant" or "it") **CERTIFIES, ACKNOWLEDGES and COVENANTS to the Export-Import Bank of the United States** (hereafter "Ex-Im Bank") that to the best of Applicant's knowledge and belief, after due diligence, the statements set forth below are true and correct. Any reference below to "this transaction" shall refer to either the individual transaction or the Ex-Im Bank program or Insurance Policy that is the subject of the application, as appropriate.

- A. Neither Applicant, nor any of its Principals (as defined in the Debarment Regulations identified below), has, within the past 3 years, been: 1) debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Covered Transaction (as defined in the Ex-Im Bank and Government-wide debarment regulations, found at 2 CFR Part 3513 and 2 CFR Part 180, respectively) (collectively the "Debarment Regulations"); 2) formally proposed for debarment from participating in a Covered Transaction, with a final determination still pending; 3) indicted, convicted or had a civil judgment rendered against it for any conduct or offenses described at 2 CFR § 180.800 in the Debarment Regulations; 4) delinquent on any amounts due and owing to the U.S. Government or its agencies or instrumentalities as of the date of execution of this certification; or 5) listed on any of the publically available debarment lists of the following international financial institutions: the World Bank Group; the African Development Bank; the Asian Development Bank; the European Bank for Reconstruction and Development, and the Inter-American Development Bank; **or** the Applicant has received a written statement of exception from Ex-Im Bank attached to this certification, permitting acceptance of this application notwithstanding an inability to make all of the certifications in clauses 1) through 5) of this section A.
- B. Applicant has conducted and will conduct reasonable due diligence in connection with this transaction, including checking the **Excluded Parties List System** (<http://www.epls.gov/eplsearch.do>) ("**EPLS**") and the **Specially Designated Nationals ("SDN") List of the Department of the Treasury, Office of Foreign Assets Control ("OFAC")** (<http://www.ustreas.gov/offices/enforcement/ofac/sdn/>). Applicant will not knowingly enter into any sales, leasing or financing agreements in connection with this transaction with any individual or entity that is listed on the EPLS or the SDN List (or is otherwise prohibited from conducting business with U.S. public and private entities pursuant to OFAC Regulations).
- C. Either: (1) To the best of Applicant's knowledge and belief, **no funds have been paid or will be paid** to any person in connection with this application for influencing or attempting to influence: (a) an officer or employee of any U.S. Government agency, or (b) a Member of Congress or a Member's employee, or (c) an officer or employee of Congress; (*This does not apply to commissions paid by the Bank to insurance brokers.*) **or** (2) Applicant will complete and submit **Form-LLL** (the Anti-Lobbying Declaration/Disclosure forms available at <http://www.exim.gov/pub/pdf/95-10apd.pdf>).
- D. Neither Applicant nor any agent or representative acting on Applicant's behalf, has or will engage in any activity in connection with any transaction that is a violation of: 1) the Foreign Corrupt Practices Act of 1977, 15 U.S.C. § 78dd-1, et seq.; 2) the Arms Export Control Act, 22 U.S.C. § 2751 et seq., 3) the International Emergency Economic Powers Act, 50 U.S.C. § 1701 et seq., 4) the Export Administration Act of 1979, 50 U.S.C. § 2401 et seq., and, 5) the regulations issued by the OFAC. Applicant also certifies that neither Applicant nor any agent or representative acting on Applicant's behalf, has been found by a court of the United States to be in violation of any of the foregoing statutes or regulations within the preceding 12 months, and to the best of its knowledge, the performance by the parties to this transaction of their respective obligations does not violate any of the foregoing or any other applicable law.
- E. Neither Applicant nor any agent or representative acting on Applicant's behalf in connection with this application is currently under charge or has been, within the past 5 years, convicted in any court of any country, or subject to national administrative measures of any country, for bribery of public officials.
- F. The representations made and the facts stated in this application and its attachments **are true and Applicant has not misrepresented or omitted any material facts**. Applicant further covenants that if any statement(s) set forth in this application becomes untrue, or is discovered to have been untrue when made, Applicant will promptly inform Ex-Im Bank of such change. Applicant further understands that in accepting or approving this application, Ex-Im Bank is relying upon Applicant's statements set forth in the application and on the foregoing certifications, and all statements and certifications to Ex-Im Bank are subject to the penalties for false or misleading statements to the U.S. Government (18 USC § 1001, et. seq.).

## NOTICES

The applicant is hereby notified that information requested by this application is done so under authority of the Export-Import Bank Act of 1945, as amended (12 USC 635 et. seq.); provision of this information is mandatory and failure to provide the requested information may result in Ex-Im Bank being unable to determine eligibility for support. If any of the information provided in this application changes in any material way or if any of the certifications made herein become untrue, the applicant must promptly inform Ex-Im Bank of such changes. The information provided will be reviewed to determine the participants' ability to perform and pay under the transaction referenced in this application. Ex-Im Bank reserves the right to decline to process or to discontinue processing of an application.

**Paperwork Reduction Act Statement:** We estimate that it will take you about 1 hour per response to complete this form. This includes the time it will take to read the instructions, gather the necessary facts and fill out the form. However, you are not required to provide information requested unless a valid OMB control number is displayed on the form. If you have comments or suggestions regarding the above estimate or ways to simplify this form, forward correspondence to Ex-Im Bank and the Office of Management and Budget, Paperwork Reduction Project, OMB # 3048-XXXX Washington, D.C. 20503.

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**Signature**

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**Print Name**

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**Date**