

# **DUE DILIGENCE QUESTIONNAIRE**

## **Trusts**



Date & Place of birth: 3 February 1934 / Mexico

Passport No: [REDACTED]

Occupation: Retired

Marital status: Single      Married      Separated      Divorced  
(please mark as appropriate)

Widow

Children: YES

Is the Settlor a Politically Exposed Person (as defined in Schedule 1)?      YES / NO

Other persons (if any) acting on behalf of the Settlor (please complete a due diligence questionnaire for each):

Please provide a brief description of the source of funds or wealth of the Settlor: Gift from Daughter Ma Teresa Garcia Cubria. A copy of the Deed of Gift and English translation is attached.

(Please enclose:

- a) a photocopy of the identification pages of the Settlor's passport that has been certified as a true copy of the original by a Trusted Referee (as defined in Schedule 1), such certification to have been carried out within the preceding three months; and
- b) a photocopy of a utilities bill that is no more than three months old, confirming the Settlor's address and that has been certified as a true copy of the original by a Trusted Referee; and
- c) evidence of the enquiries you have carried out in order to satisfy yourself whether either the Settlor, or any person acting on his or her behalf, is a Politically Exposed Person; and
- d) copies of information confirming the source of funds or wealth of the Settlor and evidence of the enquiries you have carried out to verify this information. Note that where the Settlor is a Politically Exposed Person, an enhanced standard of enquiries should be carried out.

**2. Name of intended Trust**

HUIRACOCHA TRUST

**3. Names of Trustees**

Please list the names of all intended trustees of the Trust. If any of the trustees is not your usual trustee company, in respect of whom we already hold all relevant due diligence information, please complete and return a due diligence questionnaire for each such trustee using the template provided at Schedule 2.

ORION TRUST (NEW ZEALAND) LIMITED

**4. Objective(s) for which Trust/Settlement is to be established:**

- Please tick as appropriate
- Estate planning generally

- Tax planning/mitigation
- Asset protection
- Confidentiality and privacy
- Preservation of family assets
- Family succession planning
- Other: \_\_\_\_\_

**5. Type of Trust:**

- Fixed Interest
- Discretionary Trust
- Revocable Trust
- Irrevocable Trust
- Charitable Trust

**6. Type of trust document:**

- Declaration of Trust
- Deed of Settlement
- Settlement

(Please provide a certified copy if trust document has already been prepared)

**7. Principal Beneficiary/Beneficiaries:**

Full Name: Ma Teresa Garcia Cubria (Principal Beneficiary)

Address: \_\_\_\_\_ Mexico.

D.O.B. 17 Feb. 1959 Relationship to Settlor: Daughter Passport No. \_\_\_\_\_

Fiscal Residence: \_\_\_\_\_  
Mexico.

Full Name: Juan Armando Hinojosa Cantu (Secondary Beneficiary)

Address: \_\_\_\_\_  
\_\_\_\_\_ Mexico City, Mexico.

D.O.B. 03 January 1956 Relationship to Settlor: Son-in-law Passport No. \_\_\_\_\_

Fiscal Residence: \_\_\_\_\_  
\_\_\_\_\_ Mexico City, Mexico.

Full Name: Legitimate children of 1<sup>st</sup> and 2<sup>nd</sup> beneficiaries (Third Beneficiaries)

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

D.O.B. \_\_\_\_\_ Relationship to Settlor: \_\_\_\_\_ Passport No. \_\_\_\_\_

Fiscal Residence: \_\_\_\_\_

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

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

D.O.B. \_\_\_\_\_ Relationship to Settlor: \_\_\_\_\_ Passport No. \_\_\_\_\_

Fiscal Residence: \_\_\_\_\_

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

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

D.O.B. \_\_\_\_\_ Relationship to Settlor: \_\_\_\_\_ Passport No. \_\_\_\_\_

Fiscal Residence: \_\_\_\_\_

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

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

D.O.B. \_\_\_\_\_ Relationship to Settlor: \_\_\_\_\_ Passport No. \_\_\_\_\_

Fiscal Residence: \_\_\_\_\_

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

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

D.O.B. \_\_\_\_\_ Relationship to Settlor: \_\_\_\_\_ Passport No. \_\_\_\_\_

Fiscal Residence: \_\_\_\_\_

(If the Trust is not a discretionary trust or charitable trust and has 10 beneficiaries or less, please enclose a photocopy of the identification pages of each beneficiary's passport that has been certified as a true copy of the original by a Trusted Referee (as defined in Schedule 1), such certification to have been carried out within the preceding three months)

Are there any particular circumstances relating to beneficiaries (physical or mental infirmity)?  
YES / NO

Are any of beneficiaries Beneficial Owners of the Trust (as defined in Schedule 1)?  
YES/NO

If YES, please complete and return a due diligence questionnaire for each such beneficiary using the template provided at Schedule 2.

#### 8. Protector

Do you wish to have a Protector: . YES / NO

If YES, whom do wish us to appoint as Protector?

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

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

Phone (Home): \_\_\_\_\_  
 (Office): \_\_\_\_\_  
 Facsimile: \_\_\_\_\_  
 E-mail address: \_\_\_\_\_  
 Nationality: \_\_\_\_\_  
 Domicile (include information if Resident but non-Domiciled): \_\_\_\_\_  
 \_\_\_\_\_  
 Fiscal Residence: \_\_\_\_\_  
 Date & Place of Birth: \_\_\_\_\_  
 Passport No: \_\_\_\_\_  
 Occupation: \_\_\_\_\_

Will the Protector be acting in a professional capacity (if this is the case, a charging provision should be included)? YES / NO

Is the Protector a Beneficial Owner of the Trust (as defined in Schedule 1)? YES / NO

Is the Protector a Politically Exposed Person (as defined in Schedule 1)? YES / NO

If the Protector is a Politically Exposed Person **and** a Beneficial Owner, please provide a brief description of the source of funds or wealth of the Protector: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Please enclose:

- a) a photocopy of the identification pages of the Protector's passport that has been certified as a true copy of the original by a Trusted Referee (as defined in Schedule 1), such certification to have been carried out within the preceding three months; and
- b) a photocopy of a utilities bill that is no more than three months old, confirming the Protector's address and that has been certified as a true copy of the original by a Trusted Referee; and
- c) evidence of the enquiries you have carried out in order to satisfy yourself whether either the Protector, or any person acting on his or her behalf, is a Politically Exposed Person; and
- d) (if applicable) copies of information confirming the source of funds or wealth of the Protector. Note that where the Protector is a Politically Exposed Person, an enhanced standard of enquiries should be carried out.)

## 9. Beneficial Owners

Please list each Beneficial Owner (as defined in Schedule 1) of the Trust and complete a due diligence questionnaire for each Beneficial Owner who is not the Settlor or Protector using the template provided at Schedule 2:

Maria Teresa Cubria Cavazos and Ma Teresa Garcia Cubria

## 10. Accounts

Do you wish the accounts of the Trust to be prepared by us?  
Do you wish the accounts of the Trust to be audited?

YES / NO  
YES / NO

In any case, please indicate the year end of the Trust: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

(Note: 31 March is the usual year end in New Zealand. If another date is selected, please provide justification for the need to select another date e.g. to tie in with the balance date in the settlor's home jurisdiction)

## 11. Trust Property

Please list full details of all assets to be settled and the source of such assets.

If the assets are presently held by a banking institution please give the details of such institution.

If any assets or funds are transferred to the Trust by any party other than the Settlor, please complete a due diligence questionnaire for each such person (each, a "Transferor"), each Beneficial Owner of a Transferor and any other person acting on behalf of a Transferor using the template provided at Schedule 2.

We may seek further documentary confirmation of the source of the initial and subsequent funds and assets. We reserve the right to request such documentation from you.

The Huiracocha Trust will hold 99.99% ownership in a UK LLP named HUIRACOCHA INVESTMENTS LLP. The underlying company will have portfolio accounts with banks such as JP Morgan, UBS, Deutsche Bank.

(Please enclose copies of information confirming the source of funds or assets of the trust, if this has not been already provided to us)

## 12. Date of Termination of Trust (maximum period under New Zealand law is 80 years)

80 years \_\_\_\_\_

## 13. Annual Income of the Trust

Please specify the anticipated annual income of the Trust and the countries of origin of the Income.

None \_\_\_\_\_

## **PART B**

### **DECLARATION**

Please complete and sign the following declaration in respect of each party for whom you have completed and returned a due diligence questionnaire in relation to the Trust (each, a "Relevant Party")

**I, Valentín Ureña, Lawyer of MF LEGAL SERVICES, DO HEREBY CERTIFY THAT:**

1. In addition to all other information provided in this document, the Relevant Party has confirmed the following to me, which to the best of my knowledge is true and correct:
  - (a) He/she is not insolvent at the date hereof;
  - (b) He/she understand that (a) above means that:
    - (i) He/she is able to pay his/her debts as they fall due;
    - (ii) His/her assets exceed his/her liabilities (including contingent liabilities);
    - (iii) That upon transferring any assets to the Trustees of the Trust, the value of the Relevant Party's remaining assets will exceed his/her liabilities defined in (ii) above.
  - (c) He/she understands that once the Trust is created, legal ownership of the Trust property transfers from the Relevant Party to the Trustee(s) and that retention of control by him/her over the Trust assets and control of the Trustee is likely to render the Trust a "sham" in law.
  - (d) All information provided in the relevant due diligence questionnaire is true and correct and he/she authorises Bentleys Chartered Accountants Limited to take up such references as they may deem fit to establish his/her bona fides.
  - (e) He/she is not aware of any action cause or litigation of whatever nature threatening or outstanding, contingent or pending against him/her or affecting any of his/her assets and he/she does not have actual notice of any such claim or of the facts or circumstances which may render him/her liable to any such claim.
  - (f) He/she has no intention of using the Trust to evade (nor has the Trust been established with a view to evading) any tax obligation of whatever nature and he/she hereby undertakes that all income and capital gains and all such other details of whatever nature as are required by relevant legislation shall be declared by him/her as required under the laws of his/her jurisdiction.
  - (g) The Settlor has sought professional tax advice in his/her jurisdiction of domicile/residence and in each jurisdiction in which any assets are located with regard to the establishment of the Trust and the Settlor understands that Bentleys Chartered Accountants Limited takes no responsibility for any tax consequences of the Trust, nor for any disclosures required to be made to governmental authorities.
  - (h) None of the assets or income to be transferred, either initially or subsequently to the Trustees of the Trust relates to or is in any manner derived from armaments, unlawful drugs or other unlawful controlled substances, money laundering of whatsoever nature, terrorist acts, or any other activity which the Relevant Party knows to be unlawful in his/her country of citizenship, residence or domicile or in any other part of the world.
  - (i) None of his/her net worth, income or activities relates in any manner to or is derived from armaments, unlawful drugs or other unlawful controlled substances, money laundering of whatsoever nature, terrorist acts or any other activity which he/she



knows to be unlawful in his/her country of citizenship, residence or domicile or in any other part of the world.

- (j) He/she further understands that, if he/she made any untruthful, false or misleading statement regarding any of the representations made herein, the Trust/Settlement may be voidable at the instance of or upon application by any creditor to a competent Court of Law and the assets held thereunder may be liable to claim by any such creditor and/or liable to confiscation by a competent Authority.
- (k) He/she does not intend to hinder, delay or defraud any creditors, or to engage in any unlawful conduct in relation to creditors and does not intend to engage other entities in order to facilitate or otherwise engage in such activity.
- (l) He/she is not a resident for taxation purposes in the United States of America, France, Australia or New Zealand.

2. I have carried out due diligence checks on him/her and can confirm that there is no information in my possession to suggest that he/she is not a fit and proper person and particularly to my knowledge:-

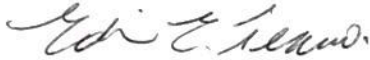
- (a) He/she has never been refused malpractice insurance, liability insurance or indemnity insurance.
- (b) Neither he/she or any corporation of which he/she has ever been an Officer, Director, or a ten per cent or more shareholder, within the last ten years has ever been bankrupt, or been obliged to compound with creditors and there is no such action currently outstanding.
- (c) His/her tax returns have been filed to date and is not currently being audited by state federal tax authorities or the tax authorities in any other jurisdiction.
- (d) There are no actions filed or threatened to be filed against him/her from any source.
- (e) No company of which he/she has ever been an Officer, Director, or a ten per cent or more shareholder, has ever been convicted of any crime (other than minor traffic violations), indicted, or been the subject of any investigation or been interviewed in connection with any investigation by any government law enforcement agency or regulatory body.
- (f) Except as otherwise disclosed in the relevant due diligence questionnaire, he/she is not a Politically Exposed Person.
- (g) None of the following Relevant Parties are a US person ("US Person") for the purposes of the Foreign Account Tax Compliance Act ("FATCA"):
  - i.   Maria Teresa Cubria Cavazos
  - ii.   Juan Armando Hinojosa
  - iii.   Ma Teresa Garcia Cubria
  - iv.   María Teresa Hinojosa García
  - v.   María Fernanda Hinojosa García

3. The following Relevant Parties are each a US Person for the purposes of FATCA and I undertake to ensure full compliance with any FATCA requirements as are or which may be required from time to time:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

4. If either the Settlor or a Beneficiary or another Relevant Party in the future becomes fiscally resident in the United States of America, France or Australia, we undertake to notify you immediately upon becoming aware and to make the appropriate arrangements in respect of all obligations to the relevant authorities in that jurisdiction. If either the Settlor or a Beneficiary or another Relevant Party in the future becomes fiscally resident in New Zealand, we undertake to notify you immediately upon becoming aware.
5. I/We acknowledge that:
  1. No tax advice is being provided by Bentleys Chartered Accountants in this questionnaire and as part of the constitution of this structure and if any such tax advice is required, that this will be the subject of a separate engagement.
  2. If the trustee of the Trust makes its decisions or is controlled in a country other than New Zealand, you do not have any responsibility in respect of any consequences that may arise as a result of other jurisdictions' treatment of the Trust and/ or the trustee.
  3. In all cases New Zealand sourced income will be subject to full New Zealand income tax in New Zealand. This can include offshore investment income if the investments are partly undertaken or managed or controlled in New Zealand or contracts are entered into in New Zealand.
  4. You are not assuming any FATCA work whatsoever. We accept responsibility to advise you immediately of any FATCA obligations which may include any change in any Relevant Party's FATCA status or if there are any changes in their US connections.
  5. In addition to all due diligence documents provided to you, we confirm that we have carried out the necessary checks by the use of all US indicia as required by FATCA and will undertake the ongoing checks as required by FATCA to determine whether any Relevant Party is a US Person and, if a US Person is identified, we will undertake the necessary compliance with the New Zealand and/ or American authorities as may be required, which may include, inter alia, the appointment of a withholding agent.

**I FURTHER UNDERTAKE** to promptly notify you of any future information that may come to light suggesting him/her to be otherwise than a fit and proper person with whom to do business.

Signature: 

Name: (Please print) Edison Teano

Date: 21 September 2015

## Schedule 1: Definitions

“Beneficial Owner” means an individual who:

- a) has effective control of a customer or person on whose behalf a transaction is conducted; or
- b) owns 25 per cent or more of the customer or person on whose behalf a transaction is conducted.

Note that:

- a) in respect of a trust, the Beneficial Owners may include the trustees and any other individual who has effective control over the trust, specific trust property, or with the power to amend the trust’s deeds, or remove or appoint trustees. This might include a protector or special trustee (if there are any), or one or more beneficiaries of the trust;
- b) in respect of a company, the Beneficial Owners may include shareholders, senior management such as the CEO, and any other person with effective control, such as some directors; and
- c) in respect of a partnership or limited partnership, the Beneficial Owners may include general and limited partners.

“Politically Exposed Person” means:

- a) an individual who holds, or has held at any time in the preceding 12 months, in any overseas country the prominent public function of:
  - i. Head of State or head of a country or government; or
  - ii. government minister or equivalent senior politician; or
  - iii. Supreme Court Judge or equivalent senior Judge; or
  - iv. governor of a central bank or any other position that has comparable influence to the Governor of the Reserve Bank of New Zealand; or
  - v. senior foreign representative, ambassador, or high commissioner; or
  - vi. high-ranking member of the armed forces; or
  - vii. board chair, chief executive, or chief financial officer of, or any other position that has comparable influence in, any State enterprise; and
- b) an immediate family member of a person referred to in paragraph (a), including:
  - i. a spouse; or
  - ii. a partner, being a person who is considered by the relevant national law as equivalent to a spouse; or
  - iii. a child and a child’s spouse or partner; or
  - iv. a parent; and
- c) having regard to information that is public or readily available,—
  - i. any individual who is known to have joint beneficial ownership of a legal entity or legal arrangement, or any other close relationship, with a person referred to in paragraph (a); or
  - ii. any individual who has sole beneficial ownership of a legal entity or legal arrangement that is known to exist for the benefit of a person described in paragraph (a).

“Trusted Referee” means:

- a) a director of MF Legal Services; or
- b) a notary public; or
- c) an Ambassador, High Commissioner, Commissioner, Minister, Counsellor, Chargé d’Affaires, Head of Mission, Consular Officer, Pro-consul, Trade Commissioner, or Tourist Commissioner of a Commonwealth country (including New Zealand),

who is not:

- d) related to the customer or person being identified;
- e) the spouse or partner of the customer or person being identified; or
- f) a person who lives at the same address as the customer or person being identified.

**Schedule 2: Due Diligence template**

Please complete fully the personal information requested below for each Beneficial Owner, each party transferring assets to the Trust and each party acting on behalf of another person. Where the relevant party is a company, trust, partnership or other corporate entity, please let us know in advance as we may need to provide an alternative form of due diligence template.

Full Name: Maria Teresa Cubria Cavazos

Home Address: [REDACTED] TAM, México.

Phone (Home): N/A

(Office): +55 5515 9709

Facsimile: N/A

E-mail address: N/A

Nationality: Mexican

Domicile (include information if Resident but non-Domiciled): Mexican

Fiscal Residence: México

Date & Place of birth: 3 February 1934 / Mexico

Passport No: [REDACTED]

Occupation: Retired

Relationship to Settlor/customer/Trust:

Client

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Is the person a Beneficial Owner (as defined in Schedule 1)? YES/NO

Is the person a Politically Exposed Person (as defined in Schedule 1)? YES/NO

If the person is a Beneficial Owner **and** a Politically Exposed Person, please provide a brief description of the source of funds or wealth of the person:

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Other persons (if any) acting on behalf of the person (please complete a due diligence questionnaire for each):

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(Please enclose:

- a) a photocopy of the identification pages of the person's passport that has been certified as a true copy of the original by a Trusted Referee (as defined in Schedule 1), such certification to have been carried out within the preceding three months; and to confirm that it represents a true representation of the person; and
- b) a photocopy of a utilities bill that is no more than three months old, confirming the person's address and that has been certified as a true copy of the original by a Trusted Referee; and
- c) evidence of the enquiries you have carried out in order to satisfy yourself whether either the person, or any person acting on his or her behalf, is a Politically Exposed Person; and
- d) copies of information confirming the source of funds or wealth of the person; and
- e) if the person is acting on behalf of another person, evidence of his/her authority to do so.)

**Schedule 2: Due Diligence template**

Please complete fully the personal information requested below for each Beneficial Owner, each party transferring assets to the Trust and each party acting on behalf of another person. Where the relevant party is a company, trust, partnership or other corporate entity, please let us know in advance as we may need to provide an alternative form of due diligence template.

Full Name: Ma Teresa Garcia Cubria

Home Address: [REDACTED]  
[REDACTED] Mexico City, Mexico.

Phone (Home): \_\_\_\_\_  
(Office): \_\_\_\_\_

Facsimile: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Nationality: Mexican

Domicile (include information if Resident but non-Domiciled): \_\_\_\_\_  
\_\_\_\_\_

Fiscal Residence: Mexico

Date & Place of birth: 17 February 1959/ Mexico

Passport No: [REDACTED]

Occupation: \_\_\_\_\_

Relationship to Settlor/customer/Trust:  
Settlor's daughter

\_\_\_\_\_

\_\_\_\_\_

Is the person a Beneficial Owner (as defined in Schedule 1)? YES/NO

Is the person a Politically Exposed Person (as defined in Schedule 1)? YES/NO

If the person is a Beneficial Owner **and** a Politically Exposed Person, please provide a brief description of the source of funds or wealth of the person:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other persons (if any) acting on behalf of the person (please complete a due diligence questionnaire for each):

\_\_\_\_\_

\_\_\_\_\_

(Please enclose:

- a) a photocopy of the identification pages of the person's passport that has been certified as a true copy of the original by a Trusted Referee (as defined in Schedule 1), such certification to have been carried out within the preceding three months; and to confirm that it represents a true representation of the person; and
- b) a photocopy of a utilities bill that is no more than three months old, confirming the person's address and that has been certified as a true copy of the original by a Trusted Referee; and
- c) evidence of the enquiries you have carried out in order to satisfy yourself whether either the person, or any person acting on his or her behalf, is a Politically Exposed Person; and
- d) copies of information confirming the source of funds or wealth of the person; and
- e) if the person is acting on behalf of another person, evidence of his/her authority to do so.)

**Schedule 2: Due Diligence template**

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Full Name: Juan Armando Hinojosa Cantu

Home Address: [REDACTED]  
[REDACTED] Mexico City, Mexico.

Phone (Home): \_\_\_\_\_  
(Office): \_\_\_\_\_

Facsimile: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Nationality: Mexican

Domicile (include information if Resident but non-Domiciled): \_\_\_\_\_  
\_\_\_\_\_

Fiscal Residence: Mexico

Date & Place of birth: 03 January 1956/ Mexico

Passport No: [REDACTED]

Occupation: Businessman

Relationship to Settlor/customer/Trust:  
Settlor's son-in-law

\_\_\_\_\_

\_\_\_\_\_

Is the person a Beneficial Owner (as defined in Schedule 1)? YES/NO NO

Is the person a Politically Exposed Person (as defined in Schedule 1)? YES/NO NO

If the person is a Beneficial Owner **and** a Politically Exposed Person, please provide a brief description of the source of funds or wealth of the person:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other persons (if any) acting on behalf of the person (please complete a due diligence questionnaire for each):

\_\_\_\_\_

\_\_\_\_\_



(Please enclose:

- a) a photocopy of the identification pages of the person's passport that has been certified as a true copy of the original by a Trusted Referee (as defined in Schedule 1), such certification to have been carried out within the preceding three months; and to confirm that it represents a true representation of the person; and
- b) a photocopy of a utilities bill that is no more than three months old, confirming the person's address and that has been certified as a true copy of the original by a Trusted Referee; and
- c) evidence of the enquiries you have carried out in order to satisfy yourself whether either the person, or any person acting on his or her behalf, is a Politically Exposed Person; and
- d) copies of information confirming the source of funds or wealth of the person; and
- e) if the person is acting on behalf of another person, evidence of his/her authority to do so.)

**Schedule 2: Due Diligence template**

Please complete fully the personal information requested below for each Beneficial Owner, each party transferring assets to the Trust and each party acting on behalf of another person. Where the relevant party is a company, trust, partnership or other corporate entity, please let us know in advance as we may need to provide an alternative form of due diligence template.

Full Name: Maria Teresa Hinojosa García

Home Address: [REDACTED]  
[REDACTED] Mexico City, Mexico.

Phone (Home): \_\_\_\_\_  
(Office): \_\_\_\_\_

Facsimile: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Nationality: Mexican

Domicile (include information if Resident but non-Domiciled): \_\_\_\_\_  
\_\_\_\_\_

Fiscal Residence: Mexico

Date & Place of birth: 28 September 1979/ Mexico

Passport No: [REDACTED]

Occupation: \_\_\_\_\_

Relationship to Settlor/customer/Trust:  
Settlor's granddaughter

\_\_\_\_\_

\_\_\_\_\_

Is the person a Beneficial Owner (as defined in Schedule 1)? YES/NO NO

Is the person a Politically Exposed Person (as defined in Schedule 1)? YES/NO NO

If the person is a Beneficial Owner **and** a Politically Exposed Person, please provide a brief description of the source of funds or wealth of the person:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other persons (if any) acting on behalf of the person (please complete a due diligence questionnaire for each):

\_\_\_\_\_

\_\_\_\_\_

(Please enclose:

- a) a photocopy of the identification pages of the person's passport that has been certified as a true copy of the original by a Trusted Referee (as defined in Schedule 1), such certification to have been carried out within the preceding three months; and to confirm that it represents a true representation of the person; and
- b) a photocopy of a utilities bill that is no more than three months old, confirming the person's address and that has been certified as a true copy of the original by a Trusted Referee; and
- c) evidence of the enquiries you have carried out in order to satisfy yourself whether either the person, or any person acting on his or her behalf, is a Politically Exposed Person; and
- d) copies of information confirming the source of funds or wealth of the person; and
- e) if the person is acting on behalf of another person, evidence of his/her authority to do so.)

### Schedule 2: Due Diligence template

Please complete fully the personal information requested below for each Beneficial Owner, each party transferring assets to the Trust and each party acting on behalf of another person. Where the relevant party is a company, trust, partnership or other corporate entity, please let us know in advance as we may need to provide an alternative form of due diligence template.

Full Name: Maria Fernanda Hinojosa García

Home Address: [REDACTED]  
[REDACTED] Mexico City, Mexico.

Phone (Home): \_\_\_\_\_  
(Office): \_\_\_\_\_

Facsimile: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Nationality: Mexican

Domicile (include information if Resident but non-Domiciled): \_\_\_\_\_  
\_\_\_\_\_

Fiscal Residence: Mexico

Date & Place of birth: 27 August 1987/ Mexico

Passport No: [REDACTED]

Occupation: \_\_\_\_\_

Relationship to Settlor/customer/Trust:

Settlor's granddaughter

\_\_\_\_\_

\_\_\_\_\_

Is the person a Beneficial Owner (as defined in Schedule 1)? YES/NO

Is the person a Politically Exposed Person (as defined in Schedule 1)? YES/NO

If the person is a Beneficial Owner **and** a Politically Exposed Person, please provide a brief description of the source of funds or wealth of the person:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other persons (if any) acting on behalf of the person (please complete a due diligence questionnaire for each):

\_\_\_\_\_

\_\_\_\_\_

(Please enclose:

- a) a photocopy of the identification pages of the person's passport that has been certified as a true copy of the original by a Trusted Referee (as defined in Schedule 1), such certification to have been carried out within the preceding three months; and to confirm that it represents a true representation of the person; and
- b) a photocopy of a utilities bill that is no more than three months old, confirming the person's address and that has been certified as a true copy of the original by a Trusted Referee; and
- c) evidence of the enquiries you have carried out in order to satisfy yourself whether either the person, or any person acting on his or her behalf, is a Politically Exposed Person; and
- d) copies of information confirming the source of funds or wealth of the person; and
- e) if the person is acting on behalf of another person, evidence of his/her authority to do so.)

CONTRATO DE DONACIÓN A TITULO GRATUITO QUE OTORGA LA SRA. MARÍA TERESA GARCÍA CUBRIA "LA DONANTE", A FAVOR DE SU MADRE LA SEÑORA MARIA TERESA CUBRIA CAVAZOS, COMO "LA DONATARIA", EN TERMINOS DE LOS PREVISTO POR EL CODIGO CIVIL PARA EL DISTRITO FEDERAL, DE CONFORMIDAD CON LAS SIGUIENTES DECLARACIONES Y CLAUSULAS.

----- **DECLARACIONES** -----

----- **I.-** Declara "**LA DONANTE**" que es titular de las acciones y activos de la empresa Provance Limited.

----- **II.-** Declara "**LA DONANTE**" que a partir de la fecha del presente instrumento, trasladara vía transferencia o deposito a cualquier cuenta a nombre de su madre **MARÍA TERESA CUBRÍA CAVAZOS**, bajo la figura jurídica de la donación gratuita, de las cuentas bancarias de las empresas, referidas en la declaración primera del presente instrumento.

----- **III.-** Por su parte declara "**LA DONATARIA**", que acepta la donación que hace en su favor, su señora hija, y reconoce haber recibido la donación a partir del mes de marzo del dos mil quince a su favor. -----

----- Expuesto lo anterior, los comparecientes otorgan las siguientes: -----

----- **CLAUSULAS** -----

----- **PRIMERA.-** Las partes ratifican en todos sus términos la donación efectuada con anterioridad a la firma del presente instrumento, reconociendo "**EL DONATARIO**" el haber recibido las cantidades a ella ministradas, bajo la figura jurídica de la donación. -----

----- **SEGUNDA.-** "**LA DONANTE**" **D O N A** A "**LA DONATARIA**", las cantidades en diversas ministraciones de acuerdo a lo establecido en las declaraciones del presente instrumento, en un periodo no mayor a 2 años contados a partir de la firma del presente instrumento. -----

----- **TERCERA.-** Los otorgantes manifiestan que la donación que ahora se realiza es a título gratuito, manifestando "**LA DONANTE**" que no obstante la donación que aquí otorga se reserva bienes y medios suficientes para subsistir agregando no encontrarse en el supuesto a que se refiere el Código Civil del Distrito Federal. -----

----- **CUARTA.-** Las partes manifiestan, que en la celebración del presente contrato no existe error, dolo o mala fe que pudiera invalidarlo, y aceptan someterse a la jurisdicción de los tribunales del Distrito Federal, para el caso de controversia derivada por la interpretación del mismo. -----

----- **GENERALES** -----

----- Los comparecientes manifiestan por sus generales ser: -----

----- La Sra. **MARÍA TERESA GARCÍA CUBRIA**, mexicana por nacimiento, originaria de Reynosa, Tamps. Lugar donde nació el 17 de Febrero de 1959, casada, empresaria, con domicilio en Calle Juan Trasmonte No. 800, Col. Villas de la Cañada, Santa Fe en la Ciudad de México, D.F., identificándose con el documento que en este acto exhibe.-----

----- La señora **MARÍA TERESA CUBRIA CAVAZOS**, mexicana por nacimiento, originaria de Reynosa, Tamaulipas, lugar donde nació el día 3 de febrero de 1934, soltera, empresaria, con domicilio en [REDACTED] Reynosa Tam. Mexico, identificándose con el documento que en este acto exhibe.-----

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Se firma el presente a los 20 días del mes de marzo del dos mil quince.

  
SRA. **MARÍA TERESA GARCÍA CUBRIA**

  
SRA. **MARÍA TERESA CUBRIA CAVAZOS**

## TRANSLATION

GRATUITOUS GIFT CONTRACT GRANTED BY MRS. MARIA TERESA GARCIA CUBRIA, "THE DONOR", IN FAVOR OF HER MOTHER, MRS. MARIA TERESA CUBRIA CAVAZOS, "THE DONEE", AS PROVIDED FOR IN THE CIVIL CODE FOR THE FEDERAL DISTRICT, IN ACCORDANCE WITH THE FOLLOWING STATEMENTS AND CLAUSES.

### STATEMENTS

- I. "THE DONOR" states that she is the holder of shares and assets of the company Provance Limited.
- II. "THE DONOR" states that as of the date of this document, she will assign by means of a transfer or deposit to any account in the name of her mother MARIA TERESA CUBRIA CAVAZOS, the checking account of the company referred to in statement number 1 above, under the legal concept of a gratuitous donation.
- III. "THE DONEE" declares that she accepts the gift made to her by her daughter and acknowledges having received the gift in her favor as of the month of March two thousand fifteen.

Having expressed the above, the appearers set forth the following

### CLAUSES:

FIRST: The parties ratify in all of its terms the gift made prior to the signing of this document, and "THE DONEE" acknowledges having received the amounts provided to her by means of the legal concept known as the Gift.

SECOND: "THE DONOR" GIFTS TO "THE DONEE", the amounts in various donations or disbursements, according to the provisions of the statements contained herein, within a period not exceeding 2 years as of the signing of this document.

THIRD: The grantors state that the gift that is being made is done gratuitously and THE DONOR declares that notwithstanding the donation hereby granted, she reserves sufficient assets and means to survive economically, adding that she does not fall within the definition or assumption referred to in the Civil Code of the Federal District.

FOURTH: The parties declare that in entering into this agreement there is no error, fraud or bad faith that could invalidate it and that they accept to submit themselves to the jurisdiction of the Federal District courts in case of any dispute arising from its interpretation.



**GENERAL CONSIDERATIONS**

The appearers make the following general statements:

Mrs. MARIA TERESA GARCIA CUBRIA is Mexican by birth, a native of Reynosa, Tamps, where she was born on the 17<sup>th</sup> of February 1959, married, businesswoman, domiciled at [REDACTED] [REDACTED] State of Mexico, Federal District, bearing the document number shown in this act.

Mrs. MARIA TERESA CUBRIA CAVAZOS is Mexican by birth, a native of Reynosa, Tamaulipas, where she was born on the 3<sup>rd</sup> of March 1934, single, businesswoman, domiciled in [REDACTED] [REDACTED] Reynosa Tam, Mexico, bearing the identification document shown in this act.

This document has been signed on the 20<sup>th</sup> day of the month of March of the year two thousand fifteen.

*(Illegible signature)*

*(Illegible signature)*

Mrs. María Teresa Garca Cubria

Mrs. Maria Teresa Cubria Cavazos

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THE FOREGOING TEXT IS A TRUE AND FAITHFUL TRANSLATION OF AN ORIGINAL DOCUMENT IN THE SPANISH LANGUAGE. PANAMA, 30<sup>TH</sup> OCTOBER 2015

YESENIA I. FLOREZ ARROCHA CERTIFIED PUBLIC TRANSLATOR ENGLISH-SPANISH 
Res. No. 438 of 20/VII-04 Panama/ Republic of Panama