

MEMORANDUM OF UNDERSTANDING

With regard to the Agreement between the United States of America and Switzerland for Cooperation to Facilitate the Implementation of FATCA, done at Bern on February 14, 2013, as supplemented by the exchange of notes of March 21 and 27, 2013, as amended by the exchange of notes of September 6 and 13, 2013, and as corrected by the exchange of notes of June 10, 2013 and May 21, 2014, and the exchange of notes of September 25, 2014 and January 7, 2015 (the "Agreement"), and the letter sent by the United States to Switzerland pursuant to Article 12 of the Agreement, dated March 27, 2015 (the "MFN Letter"), the representatives of the United States of America and Switzerland wish to confirm their understanding as follows:

1. Whereas the MFN Letter notified Switzerland of more favorable terms, which became effective August 19, 2014, and include the following:
 - Subparagraph B(1)(g) of section II of Annex I of the Agreement (that does not treat a "hold mail" address as U.S. indicia for a Preexisting Individual Account that is a Lower Value Account), and
 - Subparagraph B(4)(b)(2) of section II of Annex I of the Agreement (that allows the use of documentary evidence, as defined in paragraph D of section VI of Annex I of the Agreement, to establish the Account Holder's non-U.S. status);
2. It is understood that Swiss Financial Institutions, including those that have already taken steps consistent with the account identification procedures described in the Agreement with respect to calendar year 2014 prior to March 27, 2015, are not required to redo such steps under their FFI Agreements and may report U.S. Account information to the IRS without regard to the more favorable terms described in paragraph 1.

SIGNED at Bern in duplicate, this 28th day of July, 2015, in the English language, which is an official text. A German language text of this Memorandum of Understanding may be prepared which would be considered an equally official text upon an exchange of diplomatic notes between the Signatories confirming that they consider the two language texts to be equally official.

FOR THE UNITED STATES
OF AMERICA:



FOR SWITZERLAND:

