

INTERNATIONAL CAPITAL AND FOREIGN EXCHANGE MARKET REGULATION

TITLE : 1 - Foreign Exchange Market

CHAPTER : 6 - Operation documentation and customer filing

-
1. Agents authorized to operate in the exchange market must develop mechanisms that enable the prevention of operations that configure an artifice to circumvent the tools for identifying, limiting values and registering clients established in appropriate regulation.
 2. Agents authorized to operate in the exchange market shall take, in relation to the documents supporting their operations, all necessary procedures to avoid their reuse and consequent duplicity of effects.
 3. Performance of operations in the foreign exchange market is subject to documentary evidence.
 - 3-A. Without prejudice of the client's identification, it is not required to present documentary evidence in respect to the underlying business transaction or to file copy of the client's identification for operations of foreign currency purchase and sale up to US\$3,000 (three thousand United States dollars) or its equivalent amount in other currencies), (NR)
 4. With the exception of specific provisions stated in legislation in force, documents linked to operations in the foreign exchange market must be kept in the said agents' physical or electronic files for five years from the end of the financial year when the contracting - or, if applicable, the settlement, cancellation or write-off – took place, so that, in the case of electronic files, the Central Bank of Brazil may immediately check, at no cost:
 - a) the document's original file, the digital signature files of the parties to the document, and the respective digital certificate files under ICP-Brasil, if the regulation requires the original document to be kept; or
 - b) the document's file, if the regulation does not require the original document to be kept.
 5. (Revoked) Circular no. 3398/2008
 6. The agents authorized to operate in the exchange market must ensure that their clients are qualified by, among other measures considered appropriate, identifying them, assessing their performance, trade procedures and financial capacity, as well as keep updated:
 - a) reference files according to the form and period established by the regulation on the prevention and activities of control related to the crimes defined in Law no. 9613, of March 03, 1998, also required for the activity of brokerage of foreign exchange operation;
 - b) documentary evidence updated in physical or electronic files, while in the latter the Central Bank of Brazil will be given access to immediately check such files at no cost.
 7. (Revoked) Circular no. 3493/2010
 8. (Revoked) Circular no. 3493/2010
 9. (Revoked) Circular no. 3493/2010
 10. In case of digital signing of a foreign exchange contract ICP-Brasil, the parties to the business are responsible for checking the proper use of the other participants' digital certification, including the authority of the other signatories and the validity of the digital certificates involved. (NR)
 11. (Revoked) Circular no. 3493/2010
 12. (Revoked) Circular no. 3493/2010