

NOTICE TO COMMERCIAL CUSTOMERS REQUIRED BY THE UNLAWFUL INTERNET GAMBLING ENFORCEMENT ACT OF 2006

In compliance with the Unlawful Internet Gambling Enforcement Act of 2006 as implemented by Federal Reserve Board Regulation GG – Prohibition on Funding of Unlawful Internet Gambling, Banner Bank is notifying all commercial customers that as of June 1, 2010 “restricted transactions are prohibited from being processed through the account or relationship”.

This is a federally required notice. If your company or organization is not engaged in an “Internet gambling business” no action is required in response to this notice.

Internet Gambling Business – Due Diligence Requirements

Any Banner Bank commercial customer who currently, or at any future time, engages in an “Internet gambling business” is requested to contact their local Branch Office to discuss our required due diligence procedures. Your cooperation will be truly appreciated.

Definitions:

“*Internet gambling business* means the business of placing, receiving or otherwise knowingly transmitting a bet or wager by any means which involves the use, at least in part, of the Internet, but does not include the performance of the customary activities of a financial transaction provider, or any interactive computer service or telecommunications services.”

“*Unlawful Internet gambling* means to place, receive, or otherwise knowingly transmit a bet or wager by any means which involves the use, at least in part, of the Internet where such bet or wager is unlawful under any applicable Federal or State law in the State or Tribal lands in which the bet or wager is initiated, received, or otherwise made. The term does not include placing, receiving, or otherwise transmitting a bet or wager that is excluded from the definition of this term by the Act as an intrastate transaction or an intratribal transaction, and does not include any activity that is allowed under the Interstate Horseracing Act of 1978 (15 U.S.C. 3001 *et seq.* ; *see* §233.1(a)). The intermediate routing of electronic data shall not determine the location or locations in which a bet or wager is initiated, received, or otherwise made.”

“*Restricted transaction* means any of the following transactions or transmittals involving any credit, funds, instrument, or proceeds that the Act prohibits any person engaged in the business of betting or wagering (which does not include the activities of a financial transaction provider, or any interactive computer service or telecommunications service) from knowingly accepting, in connection with the participation of another person in unlawful Internet gambling—

- (1) Credit, or the proceeds of credit, extended to or on behalf of such other person (including credit extended through the use of a credit card);
- (2) An electronic fund transfer, or funds transmitted by or through a money transmitting business, or the proceeds of an electronic fund transfer or money transmitting service, from or on behalf of such other person; or
- (3) Any check, draft, or similar instrument that is drawn by or on behalf of such other person and is drawn on or payable at or through any financial institution.”

Authority: 12 CFR 233; effective January 19, 2009