

**AGREEMENT OF APPROVED DEPOSITORY**

DFPI-90 (Rev. 10-20)



\_\_\_\_\_  
(Name of Approved Depository)

hereinafter referred to as the "Approved Depository", in accordance with Financial Code Section 1811(a)(3) and in consideration of being approved to act as the approved depository of one or more foreign (other nation) banks under Section 1811(a)(3), hereby agrees with the Commissioner of Financial Protection and Innovation and his or her successor from time to time in office (hereinafter referred to as the "Commissioner") to comply with all applicable provisions of Section 1811(a)(3) and of any regulation or order issued under Section 1811(a)(3).

No waiver by the Commissioner of any failure of the Approved Depository to comply with this Agreement shall be deemed to be a waiver of any failure to comply thereafter occurring.

This Agreement shall be governed by, and construed in accordance with, the laws of the State of California.

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Name of Approved Depository)  
By \_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Name and Title)

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INSTRUCTIONS

A. General

Pursuant to Section 10.16027 of the Regulations of the Commissioner of Financial Protection and Innovation (the "Commissioner"), Form 90 and these instructions are to be used in cases where a California state or national bank (the "Approved Depository") which proposes to act as the approved depository of a foreign (other nation) bank under Section 1811(a)(3) of the Financial Code, files with the Commissioner in accordance with Section 1811(a)(3) its agreement to comply with all applicable provisions of Section 1811(a)(3) and of any regulation or order issued under Section 1811(a)(3).

B. Contents.

The blanks in Form 90 shall be filled in as indicated in the Form.

C. Signature.

Form 90 shall be signed in the name of the Approved Depository by an executive officer of the Approved Depository.

The signature of the Approved Depository shall be acknowledged.