



Athene Annuity & Life Assurance Company of New York

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ABOUT THE TERMINOLOGY USED IN THIS GUIDE

Athene Annuity & Life Assurance Company of New York ("Athene Annuity NY"), a New York company with its main administrative office in Pearl River, NY, is referred to as "the Company" or "Athene Annuity NY" throughout this document.

The term "producer" includes both individual producers and agencies.

This guide references "covered products or products," which are defined as any insurance product issued by the Company that you are appointed to sell.

FOR MARKETING ORGANIZATIONS AND BROKER DEALERS

As a general agent, marketing organization/broker dealer, you may recommend producers to the Company for appointment to sell covered products. No recommendation for appointment or application or contract will be effective until approved by the Company. Subject to our acceptance, you may designate producers on whose production you are to receive compensation from the Company. You agree that you are responsible for the acts and omissions of your employees.

You agree to supervise your employees to ensure that they adhere to the standards of conduct set forth in this document. You agree to train your employees to ensure that they become fully informed as to the provisions and benefits of the products they are authorized to sell, that they represent those products adequately and fairly to prospective customers, that they comply with applicable law, and that they follow the Company's rules and procedures with respect to the Company's business.

LICENSING AND APPOINTING

The Company is committed to contracting and appointing producers of high quality and integrity. The Company requires producers to be contracted through an approved general agent, marketing organization or broker dealer. All producers must obtain the appropriate contracting and appointment paperwork through a Company approved general agent, marketing organization or broker dealer before soliciting Company products. As part of his/her appointment with the Company, each producer agrees that the Company may share information that we have on the producer in our files with his/her general agent, broker dealer or marketing organization. **It is critical that producers meet the Company's Contracting and Appointing Standards as referenced below prior to submitting business with the Company.**

Licensing Requirements

Each state has its own set of licensing and appointment requirements with which producers and the Company must comply in order to transact business. Producers are prohibited from selling or engaging in any sales activity without being properly licensed and appointed in accordance with the requirements of the state where the solicitation takes place. Violations of these requirements may result in disciplinary action and penalties imposed by the state or the Company, including fines, revocation of licenses and ultimately termination of the producer's contract with the Company.

Licensing Status

Producers are responsible for renewing their licenses (including completing any continuing education requirements) and sending a copy of any completed annuity suitability continuing education certifications to Producer Services.

Producers must immediately inform the Company's licensing and contracting department of any license suspension, revocation or any other disciplinary action against them. When requested by the Company's licensing and contracting department, producers are required to provide copies of any licensing forms or associated documents sent to or received from the state insurance department.

Contracting and Appointment Standards

Determining whether producers are contracted and appointed is within the sole discretion of the Company. The Company will investigate and consider, using the factors set forth below, the overall merit of producers and determine whether they are of sufficiently good character and reputation to be appointed as producers for the Company. The Company reserves the right to refuse to accept producers or any business they submit to the Company prior to being approved by the Company for any reason.

Factors that may be considered for determining the appropriateness of an appointment include, but are not limited to, the following:

1. **Licensed:** Whether a producer is properly licensed in the state where the he/she will conduct business;
2. **Work history:** A producer's work history, including the number of times he/she has changed companies or employers, past violations of Company or employer policies or procedures and disciplinary actions;
3. **Financial responsibility:** A producer's personal and professional financial standing and experience, including a proven ability to manage finances. A producer's history regarding bankruptcy, bondability, debt owed to an insurance company or government regulatory body, outstanding liens or judgments and credit history may also be considered.
4. **Criminal history:** A producer's involvement with the criminal justice system;
5. **Civil litigation:** The extent and nature of a producer's involvement in past, pending or current litigation;
6. **Regulatory action or sanction:** Any actions or sanctions by state insurance departments or other regulatory entities (e.g., license suspension, revocations, etc.);
7. **Customer complaint history:** In the event a producer has experience in selling insurance, the number and type(s) of customer complaints against the producer;
8. **SEC or FINRA complaint and disciplinary history:** In the event a producer has experience in selling variable products or other securities, the number and type of complaints to or disciplinary actions by the Securities and Exchange Commission (SEC) or a securities self-regulatory organization, including, but not limited to, the Financial Industry Regulatory Authority (FINRA) or the New York Stock Exchange (NYSE);
9. **Membership in industry organizations:** A producer's membership and participation in life insurance industry organizations that support ethical market conduct;

10. **Personal references:** Evaluations from other producers or from Company personnel;
11. **Lack of disclosure:** Whether a producer has omitted relevant information or provided any false or misleading information on the application for appointment or any supporting documentation; and
12. **Prior company terminations:** Whether a producer has been earlier refused for contract processing, declined for appointment or terminated for any reason.
13. **Continuing education requirements:** A producer's completion of mandatory CE or other requirements to validate his or her license with the state(s).

Annuity Suitability Training Requirements – The following guidelines must be met before you will be appointed:

- 1) Completion of the Company's annuity training module is required prior to soliciting the Company's annuity products.
NOTE: The training module will record completion of the product training and report your completion to the company. You may also print off a certificate of completion for your file.
- 2) Producers selling annuities outside of New York may be responsible for completing a state-mandated 4 hour annuity training course approved by the New York State Dept. of Financial Services (NYSDFS) prior to soliciting an application. Producers must provide the Company with a certificate of completion based on each state's respective guidelines prior to submitting new business or no later than at the time the new business is submitted. Satisfaction of a substantially similar 4 hour annuity training course approved in another state may satisfy this requirement in multiple states.
- 3) In states that have enacted Suitability guidelines, failure to provide proof of completion for both the Company's annuity training and the state-mandated 4 hour annuity training course approved by the NYSDFS, prior to selling, soliciting or negotiating a contract for an annuity or representing the Company in relation to an annuity, will result in submitted business being rejected.
- 4) A list of approved education providers is generally available on the NYSDFS website. To submit evidence of completion for the 4 credit annuity training course, please submit a copy of your certificate to Athene Annuity NY Producer Services either via fax to 1-888-232-1490 or via email at producer@athene.com.
- 5) You may complete the Company product specific training by going to the Product Specific Training module [in the Suitability section of our agent website \(https://atheneannuity.com/portal/site/public/main/sales.resource.center/training/\)](https://atheneannuity.com/portal/site/public/main/sales.resource.center/training/). The training module will record completion of the product training and report your completion to the Company. You may also print a certificate of completion for your file.

The Company does not offer direct contracting. All producers must obtain the appropriate contracting and appointment paperwork through a Company approved general agent, marketing organization or broker dealer before soliciting Company products.

Special Provisions Applicable to Candidates Convicted of Certain Felonies

Federal law 18 USC §§ 1033(e)(1)(A) and (B) prohibits a Company from appointing any individual who has been convicted of any felony involving dishonesty or a breach of trust, without the specific written consent of the appropriate insurance regulatory officials. The Company reserves the discretion to refuse to appoint producers who have been involved with the criminal justice system in any way. Individuals convicted of felonies described in this paragraph may be appointed only with the prior approval of the Company and with the specific written consent of the applicable insurance regulatory officials.

In addition, all appointed producers are required to immediately report to the Company their conviction of any felony to ensure continued compliance with the law. Please contact the Company with any questions about this provision.

Appeal of Appointment Denial

The Company may review a producer's appointment or rejection. In order to initiate the appeal process for a producer whose appointment has been denied, the producer's general agent, National Marketing Organization or Broker Dealer must contact their respective Relationship Manager providing detailed information that would warrant further review and potential acceptance of the producer's request for appointment with the Company. If the information warrants, the company may approve the producer for appointment. However, if not, the Company's decision regarding a producer's appointment is final.

Appointment Termination and Notification

Information discovered subsequent to appointment establishing that the producer and/or agency does not satisfy Company standards or any activities occurring after an appointment that violate Company guidelines and policies may result in disciplinary action, including termination of the producer or agency's contract. Termination of the producer or an agency's contract may result in the revocation of all appointments with all Company affiliates the producer has been authorized to represent.

Producers who do not produce business within 24 months may have their appointment and contract with the Company terminated. The timing for terminating a producer or agency's contract and appointment is at the sole discretion of the Company. The producer and/or agency will be notified in writing of the date on which his/her sales contract is terminated.

For questions concerning appointment guidelines, contact the Company by electronic mail at producer@athene.com or toll free at 1-855-4ATHENE (855-428-4363).

Transfer and Level Change Guidelines for Existing Producers and Agencies

The Company considers a producer or agency to be contractually committed to the general agent or independent marketing organization with whom they are initially contracted. However, Producers or Agencies, with or without down line producers, are allowed to transfer to another IMO's hierarchy if the following guidelines are met:

1. A transfer or commission level change request for a producer or agency is allowed based on strict guidelines. Requests for transfers or commission level changes must be submitted to the Company by your Top Level Marketing Organization via fax using the Appointment/Compensation Hierarchy Levels Form (S7121-NY). The Company will process the request and communicate the effective date. Business written prior to the new effective date will be processed under the old hierarchy or commission level. Please speak with your marketing organization for the Company's Transfer and Commission Level Guidelines or to submit a request to the Company.
2. If an existing producer/agency is requesting a transfer from one IMO to another, the IMO requesting the transfer should determine if the producer/agency is eligible to transfer under the current contract with the existing IMO. If there is ever any question about a producer/agency being contracted, please contact the company by electronic mail at producer@athene.com to verify the producer/agencies status.
3. * Producers or Agencies may transfer IMO's without a Letter of Release if the following guidelines are met:
 - a. The producer hasn't submitted any business under the old organization within the last 6 months;
 - b. The producer has been contracted with that marketing organization for longer than 6 months; and
 - c. A producer with an outstanding debit balance must clear the negative balance before transferring.
4. A Producer/Agency that has submitted business or been contracted within the last 6 months may be eligible to transfer to a new hierarchy provided the producer/agency obtains a Letter of Release from their existing IMO. Once the Letter of Release has been obtained, please follow the guidelines outlined above.

Important Note:

A producer, or agency, who submits business without receiving confirmation from the Company of the new effective date of the transfer or commission level change, will be paid according to the old hierarchy and commission level in place at the time the policy was written.

Additionally the new business submitted prior to the Company approving and processing the change request will require the producer/agency to obtain a Letter of Release from their old IMO to transfer. Should the producer be successful in obtaining the Letter of Release the effective date of the transfer or commission level change will be set by the Company as outlined in #1 above.

No backdating of transfer requests or commission level changes will be made.

*Extenuating circumstances will be reviewed by the National Sales Director.

GENERAL SALES PRACTICES FOR PRODUCERS

Producer Training and Knowledge

The Company focuses its training efforts on our specific products. Characteristics of each product, such as features and benefits, are covered in product guides/spec sheets and consumer marketing materials. The Company also provides training through internal and external wholesalers.

Doing business with the Company

When doing business with the Company, you agree to keep complete and accurate records of your dealings with respect to the Company's business. Such records must be immediately delivered to the Company when requested.

Before soliciting an application for the Company's products, you must first understand the client's needs and financial objectives, and have reasonable grounds that the recommended product is suitable based on the facts disclosed by the consumer.

When taking applications for the Company's products, you agree to fully and accurately explain the product and accurately record all information supplied by an applicant.

You also agree to:

- Disclose compensation to purchaser per Regulation 194 (see [Appendix E](#)).
- Hold all money collected or received on behalf of the Company in a fiduciary capacity and promptly deliver that money to the Company. (All checks should be made payable to the Company.)
- Promptly deliver policy contracts to policyholders and obtain and return to the Company any application amendments, revised illustrations, policy delivery receipts, and related documents required by the Company.
- Assist the Company in investigating and responding to any internal or regulatory investigation concerning your activities in connection with the Company.
- Immediately inform the Company of any customer or regulatory complaints that concern the Company's business and of which you become aware.
- Notify the Company within one business day of receipt of any revocations or suspensions of any qualification or license issued to you.
- Notify the Company of any reprimand or fine given to you by a regulatory authority.

In order to do business with the Company, you must maintain, at your expense, errors and omissions insurance in the amount of at least \$2 million (\$1 million for individual producers), with a deductible not to exceed \$250,000, covering your activities on the Company's behalf.

Producer Compensation Disclosure

Regulation 194 requires insurance producers selling insurance in New York to disclose certain information to purchasers on compensation paid by insurers for the insurance business. This disclosure is mandatory, at or prior to the time of application, and can be given orally or in writing. If given orally, a written disclosure notice must be provided to the purchaser by the time the contract is delivered. You are required to understand and comply with Regulation 194.

Submitting annuity business "in good order"

Servicing your annuity business is our highest priority. You can help us reduce the number of NIGO (Not in Good Order) new business submissions by completing all required annuity point of sale forms in full and remembering the following points:

Applications (Applications are product specific. Please see our website for product and state specific forms.)

- Address is completed in full including physical street address (no PO Boxes), city, state, and zip code including telephone number for proposed owner, annuitant and beneficiary(ies)
- Beneficiary allocations are shown in whole numbers or percentages
- Names of beneficiaries are listed ["all children of insured" or "Per stirpes" is not acceptable, names are mandatory]
- Application is dated and signed where city and state have been indicated
- Proposed owner, annuitant and beneficiary(ies) date of birth is included
- Proposed owner annuitant, beneficiary (ies) social security number is included
- Full name of annuity product has been indicated

- Qualified or non-qualified premium type has been indicated
- Minimum premium has been received or anticipated premium has been indicated on the application
- If commissions are being split between two or more producers, the agent of record and all agents receiving commissions must be licensed and appointed with the company

Replacement (see REPLACEMENTS, page 9)

- All applicable forms have been completed in full

Customer Identification Program Notice (form 19578)

- Applicant has read this notice before completing the application

Company Suitability Form (N1000-NY form)

- Names(s) are printed below signature line(s)
- All information has been completed in full and all boxes have been checked

1035/Transfer paperwork

- Form is determined by type of annuity being issued and source of funds
- Correct form needs to be completed in full and contain the full address of the transferring company

If contract being applied for has joint owners

- All point of sale forms must be signed by both owners. **Note:** Not all forms have a line for the joint owner so you will need to *add* a line.

If contract is an IRA and the premium submitted is a personal check or financial institution check made payable to the client and signed over to Athene Annuity NY

- IRA Rollover Certification Form (ANY N1025) is required and should be completed in full
- If replacing an annuity, see page 9

Contact Information

Phone: 800-926-7599
Ext. 126-Sales Desk

Email: marketingNY@athene.com

Phone: 855-4-ATHENE (855-428-4363)
Option 2: Pending and In-Force Business
Option 3: Contracting and Licensing
Option 4: Commissions

New Business Applications and Regulation 60 Requests

We will accept a fax for the initial Reg 60 paperwork, but require originals of the application package.

Fax: 770-690-1985

Regular Mail:
Athene Annuity & Life Assurance Company of New York
PO Box 725449
Atlanta, GA 31339

Express/Overnight Delivery:
Athene Annuity & Life Assurance Company of New York
6425 Powers Ferry Road, Suite 300
Atlanta, GA 30339

FOR ATHENE ANNUITY NY RETIRED PRODUCTS

Commissions & In-Force Service:

For Annuity Services

For Life Services

Phone: 800-926-7599, Ext. 660

Phone: 800-926-7599, Ext. 659

Email: AnnuityPOS@athene.com

Email: LifeServices@athene.com

Hours: Monday - Friday, 8:30 a.m. to 5:00 p.m. (EST)

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ANTI-MONEY LAUNDERING

In November 2005, the U.S. Department of Treasury released Anti-Money Laundering (AML) Regulations governing life insurance companies. The regulations, which became effective May 2, 2006, require each insurer to develop a compliance program that includes on-going AML training for employees and producers.

Insurance producers selling any of Athene Annuity NY's Products (defined in Appendix A) are required to demonstrate qualifying AML training completion within 30 days of their appointment with the Company, and every two years thereafter. Qualified training includes successful completion within the last 24 months through:

- LIMRA (Once a producer is contracted with Athene Annuity NY they will be granted access to the LIMRA training site at <https://aml.limra.com/LimraLogin.aspx>.)
- "Refresher Training Course" - Producers who have previously taken the "Anti-Money Laundering for Insurance Producers" base course are required to take one of LIMRA's available "refresher" courses. Training credits for repeating the same course will not be accepted.
- An AML training course required by a broker-dealer (for FINRA Registered Representatives).
- Another insurance company's AML training (a copy of the full course training material is required and must be approved by Athene Annuity NY's AML Compliance Officer).
- A reputable 3rd party, such as RegEd or LIMRA.
- The Company will review 3rd Party Vendor training for AML credit, if a copy of the full course training material is provided to Producer Services when contracting is submitted.

The Company reserves the right to review training programs conducted by outside parties, or attestations from broker-dealers' or insurance companies' AML Officers, if producers do not complete the LIMRA course. Such documentation will be reviewed to ensure compliance with the USA PATRIOT Act. Producers are required to see and record customer identification documents such as drivers' licenses.

Please refer to Appendix A, AML Program Overview, for general information regarding AML policies.

GUIDELINES FOR THE SUITABLE ANNUITY SALE

The Company places high importance on meeting the needs of its customers through suitable annuity sales. Our goal is that every annuity sale is a suitable sale. Meeting these goals begins with you selling the product. The Company requires all producers to follow annuity sales suitability practices. **You have a responsibility to know your customers.** You must make reasonable efforts to obtain information concerning your customers' financial and tax status, investment objectives, and other information considered reasonable in making a recommendation to a client.

New York Insurance Regulation 187 sets forth standards and procedures for recommendations to consumers with respect to annuity contracts so that the insurance needs and financial objectives of consumers at the time of the transaction are appropriately addressed. These standards and procedures are substantially similar to the National Association of Insurance Commissioners' Suitability in Annuity Transactions Model Regulation for annuities, and the Financial Industry Regulatory Authority's current National Association of Securities Dealers Rule 2310 for securities.

You, the producer as appropriately licensed, agree to:

Determine the client's financial situation and goals

1. Obtain information on the client's personal situation, such as employment and tax status.
2. Gather information on current finances including income, net worth and expenses.
3. Discuss financial goals and future needs.
4. Discuss investment and insurance orientation and risk tolerance.
5. Understand the source of funds (CD, another insurance product, investments, etc.) for purchasing the new annuity.

Review the types of insurance products available

1. Carefully choose the appropriate product(s) and the appropriate dollar amount(s) to place in any product(s) selected.
2. Explain why these products might meet the client's objectives.
3. Make sure all recommendations correspond with suitability standards and that the client clearly understands the product's features and benefits and any charges associated with the product.

Keep documentation

1. Keep copies of all information collected, including notes, correspondence, etc.
2. Keep all references to product and product features presented, materials provided and disclosures signed.
3. Be able to explain how the product purchase was handled and why the particular product or products were selected.
4. Be prepared to provide copies of these documents to the Company in a timely manner if requested.
5. In the case of a replacement, be able to demonstrate the new annuity purchase is in the client's best interest, after applicable surrender charges, fees and loss of benefits is taken into consideration.

SAMPLE ANNUITY PROFILE			
	Traditional Fixed Annuity	Index Annuity	Variable Annuity
Customer Profile	<p>Clients with bias toward "return OF principal" more than "return ON principal." Usually like to purchase CDs.</p> <p>Clients seeking a fixed rate of return along with guarantees.</p> <p>Clients seeking no market risk.</p>	<p>Clients interested in higher returns without risk to principal/Guaranteed gains without losses.</p> <p>Long-term bond purchasers seeking less volatility without call risk.</p> <p>Clients near retirement who want to lock in prior market gains with some current participation.</p>	<p>Clients trying to beat inflation who are willing to accept risk on a tax-deferred basis.</p> <p>Clients with mutual funds who want to grow long-term assets more efficiently.</p> <p>Clients willing to take a more aggressive approach to investing without jeopardizing account values for heirs.</p>
Investment Risks	<ul style="list-style-type: none"> ▪ No market risk ▪ Guaranteed returns 	<ul style="list-style-type: none"> ▪ No downside market risk ▪ Higher earnings potential 	<ul style="list-style-type: none"> ▪ Downside market risk ▪ Full market participation

Suitability Compliance for Athene Annuity NY Producers

In order to meet these requirements, the Company requires that all producers complete and submit the Suitability Form (see [Appendix B](#)) with the consumer at the point of sale for all annuities as part of the application process. This form is required to be completed in full. In addition to this form, the following forms are also required as stated below:

- The appropriate Annuity Product Disclosure (available via [Athene Annuity NY Products](#)) must be left with the customer at the time the application is taken.
- The Customer Identification Program Notice (form 19578) must be left with the customer at the time the application is taken.
- A risk tolerance questionnaire is recommended to supplement the suitability form.

If an application is received without the required suitability form(s), the application is pended as "Not In Good Order" until such form(s) is received.

COMPLAINTS

A complaint is defined as "a written communication that expresses dissatisfaction with a specific person or entity subject to regulation under the state's insurance laws. An oral communication, which is subsequently converted to a written form, will meet the definition of complaint for this purpose." It does not include requests for information.

Insurance producers who receive a complaint from a customer or from a state department of insurance that involves the Company or any aspect of our products, services or operations, must forward that complaint to the Company's Consumer Resolution Team in the Compliance department (phone: 515-342-3974; fax: 866-299-7008; complaints@athene.com) immediately. The Company wants to respond promptly and, in fact, many states impose short time limits within which we must respond to complaints. The Company reviews all customer complaints and responds in a way that we believe to be appropriate and fair.

REPLACEMENTS

NY Regulation 60 definition of replacement

The term "replacement of a life insurance policy or an annuity contract" means, that new life insurance or new annuities are to be purchased and delivered or issued for delivery in New York and it is known to the Department licensee that, as part of the transaction, existing life insurance policies or annuity contracts have been or are likely to be:

- (1) Lapsed, surrendered, partially surrendered, forfeited, assigned to the insurer replacing the life insurance policy or annuity contract, or otherwise terminated;
- (2) Changed or modified into paid-up insurance; continued as extended term insurance or under another form of nonforfeiture benefit; or otherwise reduced in value by the use of nonforfeiture benefits, dividend accumulations, dividend cash values or other cash values;
- (3) Changed or modified so as to effect a reduction either in the amount of the existing life insurance or annuity benefit or in the period of time the existing life insurance or annuity benefit will continue in force;
- (4) Reissued with a reduction in amount such that any cash values are released, including all transactions wherein an amount of dividend accumulations or paid-up additions is to be released on one or more of the existing policies;
- (5) Assigned as collateral for a loan or made subject to borrowing or withdrawal of any portion of the loan value, including all transactions wherein any amount of dividend accumulations or paid-up additions is to be borrowed or withdrawn on one or more existing policies; or
- (6) Continued with a stoppage of premium payments or reduction in the amount of premium paid.

Generally, replaced business is bad for the customer and bad for the industry. Avoiding improper replacements is a top priority of Athene Annuity NY. Replacement sales in New York are subject to the unique requirements of Regulation 60. The regulation is designed to protect customers who are considering the replacement of their life insurance policies or annuity contracts. Regulation 60 requires insurers and their appointed agents to provide prescribed comparative information to customers when a life insurance policy or annuity contract is being replaced. The Company calls for a two-phase process. The requirements of each phase are described in procedures contained in Appendix D.

Appropriate Replacement	Questionable Replacement	Inappropriate Replacement
Benefits customer both short & long-term	Benefits customer either short OR long-term	Does not benefit customer short or long-term
Tax benefits favorable	Limited tax benefits	Unfavorable tax benefits
Surrender value not affected; no new costs	Surrender value slightly affected; minimal amount or of little concern	Surrender value strongly affected; concern is high
Current financial situation strong	Current financial situation fair	Current financial situation poor
No new surrender or withdrawal period	New surrender or withdrawal period	New surrender or withdrawal period
No reduction in death benefits or no death benefit required	Moderate reduction in death benefits	Significant reduction in death benefits
No loss of guarantees, dividends or benefits	Minor loss of guarantees, dividends or benefits	Major loss of guarantees, dividends or benefits
Investment risks meet customer's financial profile	Investment risks close to customer's financial profile	Investment risks not in line with customer's financial profile
Issuing company financially stable	Issuing company moderately financially stable	Issuing company not financially stable

ADVERTISING COMPANY PRODUCTS

The NYSDFS requires the Company to maintain a complete file containing a copy of every printed, published or prepared advertisement of Athene Annuity NY products along with details on the manner and extent of distribution and the form number of any policy advertised. The Company complies by requiring all producers to 1) submit advertising for approval prior to use and 2) complete an Advertising Compliance Form for each ad (see Appendix C). **Any form of advertising containing Athene Annuity NY or Athene Annuity & Life Assurance Company of New York or product information, used without the Company's prior approval, is in violation of your contract with us and may be grounds for termination.**

Definition of Advertising and Sales Material: These terms mean material designed to create public interest in insurance or in an insurer or in an insurance producer, or to induce the public to purchase, increase, modify, reinstate, borrow on, surrender, replace or retain a policy. This includes, but is not limited to, such items as:

- Printed and published material, audiovisual material and descriptive literature of an insurer or insurance producer used in direct mail, newspapers, magazines, the Internet, radio, television, and telemarketing scripts, billboards and similar displays;
- Descriptive literature and sales aids of all kinds; including computer software, authored by the insurer, its insurance producers; or third parties, issued, distributed or used by the insurer or insurance producer, including but not limited to circulars, leaflets, booklets, depictions, illustrations, and form letters, delivered in any medium, including the electronic;
- Material used for the recruitment, training and education of an insurer's insurance producers designed to be used or is used to induce the public to purchase, increase, modify, reinstate, borrow on, surrender, replace or retain a policy; and
- Prepared sales talks, presentations and material for use by insurance producers.

Advertising and sales material does not include:

- Communications or materials used within an insurer's own organization and not intended for dissemination to the public;
- Communications with policyholders other than material urging policyholders to purchase, increase, modify, reinstate or retain a policy; and
- A general announcement from a group or blanket policyholder to eligible individuals or persons on an employment or membership list that a policy or program has been written or arranged, provided the announcement clearly indicates it is preliminary to the issuance of a booklet explaining the proposed coverage.

Important note for websites/pages (for producer or consumer audiences)

All websites/pages with Athene Annuity NY logos, company information or product information on them must be reviewed and approved by the Company prior to posting on the World Wide Web. If the Company finds that this has been violated, the website/page owner will be required to remove all information relating to Athene Annuity NY until the page(s) have been reviewed. **The use of such information on a website/page without prior approval may also be grounds for termination of your contract with the Company.** Submit the content of your website/page for approval before publishing any content and be sure to provide the proposed URL, the proposed content and the requested date of first use. After this review, if your proposed website/page requires revisions, changes must be made, and it must be re-submitted and approved prior to use.

To request approval of an advertising piece, including websites, send your request along with the completed Advertising Compliance Form (see [Appendix C](#)) and contact information to the Marketing Department.

Our agents go through significant educational and training experience in order to better serve our consumers. In going through these experiences, you may obtain professional designations that allow you to demonstrate particular training you have obtained. Certain professional designations have been the subject of regulatory and media scrutiny. The state insurance department has issued guidelines regarding the use of designations.

Athene maintains a list of approved designations that our agents may utilize, as well as a list of prohibited designations that our agents may not utilize. The professional designations Athene has approved for use are those that are issued by an accredited university, college, or professional society that involve a rigorous curriculum.

Advanced educational degrees such as MBA, PhD, or JD may be used but not in a way that may obscure the fact that an agent is in the business of selling annuities and receiving commissions.

If a designation does not appear on either the approved or prohibited list, it may be submitted to Athene for review. Please see Appendix F for a current list of approved and prohibited designations.

DELIVERY REQUIREMENTS

How to Deliver the Contract: In most cases, your client's new annuity contract will be sent directly to you following issue. Once you have had a chance to review it, you agree to deliver it promptly to your client. Remember, the contract must be delivered in the state of New York.

Upon delivery, your client should review the contract carefully. He/she must acknowledge acceptance of the contract promptly by signing the enclosed delivery receipt and returning it as soon as possible to Athene Annuity & Life Assurance Company of New York in the envelope provided.

If you have any questions regarding the contract, please call the Company.

FOR PRODUCER USE ONLY. NOT FOR PUBLIC USE.

PRIVACY RULES

The Company is committed to protecting the confidentiality of its applicants' and customers' non-public personal information. Both insurers and producers are required to comply with consumer privacy and information security laws and regulations. As a licensed and appointed representative of the Company, you agree to the following rules with respect to the handling of non-public personal information of our clients.

Definitions

"Non-public Personal Information" means any non-public personal information, as that term is defined in Title V of the Gramm-Leach-Bliley Act, which is provided by or on behalf of a consumer to you, the producer, or the Company or its affiliates in connection with the sale of the Company's or its affiliates' products or services.

"Confidential Information" means any information, in whatever format, that relates to Non-public Personal Information of the Company's (and its affiliates') applicants and customers or to the Company's (and its affiliates') business processes, products, marketing plans, and procedures that (1) has been or may later be provided or shown to you or your representatives by or on behalf of the Company or its affiliates, (2) is obtained from review of documents or property of, or communications with the Company or its affiliates, or (3) consists of notes, analyses, summaries, and other materials derived from that information. Confidential Information excludes information that was or becomes publicly available other than as a result of a disclosure by you or your representatives in violation of this agreement and information you obtain from a third party that is not bound by a similar duty of confidentiality.

Duties; Rights

You agree to:

1. Only use the Confidential Information for the purpose of performing under your agreement with the Company or servicing the customers of the Company's affiliates;
2. Not disclose the Confidential Information to any third party or to any of your employees or producers except those who need to know it to enable you to perform under your agreement with the Company or service the customers of the Company's affiliates, provided that you shall take all reasonable measures to ensure that the Confidential Information is not disclosed or duplicated in contravention of the provisions of this agreement by those third parties, producers, and employees;
3. Maintain an information security program designed to ensure the security and confidentiality of Non-public Personal Information, protect against any anticipated threats or hazards to the security or integrity of that information, and protect against unauthorized access to or use of that information that could result in substantial harm or inconvenience to the Company's (or its affiliates') applicants or customers; and
4. Return to the Company or destroy (at the Company's option) all Confidential Information in your possession or under your control when that information is no longer required for purposes of your agreement with the Company or for purposes of complying with applicable record retention laws, and confirm to the Company in writing that you have done so.

Remedies

Any breach or threatened breach of this agreement may result in irreparable harm to the Company or its affiliates, an injury for which there is no adequate remedy at law. Therefore, the Company may move for any and all appropriate equitable relief including preliminary and permanent injunctions in any court of competent jurisdiction to prevent a breach or threatened breach of this agreement. This injunctive relief does not preclude the Company from seeking other available remedies. When moving for equitable relief, the Company is not required to post bond or, if required to post bond by court order or other operation of law, is only required to post the minimum or nominal bond permitted.

Compelled Disclosure

You may disclose Confidential Information if you become compelled to disclose that information by a court or administrative order, legal process, law, or regulation. However, before disclosure, you must notify the Company no more than three business days from receipt of the order. You must also fully cooperate with the Company in seeking a confidentiality agreement, protective order, or other protection of the confidentiality of the confidential information.

Unauthorized Acts

You agree to:

1. Notify the Company's privacy officer promptly of any loss or inability to account for Confidential Information and any material unauthorized possession, use or knowledge of Confidential Information that becomes known to you;
2. Promptly furnish to the Company full details of that incident;
3. Use reasonable efforts to cooperate with the Company in any litigation or investigation deemed necessary by the Company to protect its interests; and
4. Promptly use all reasonable efforts to prevent a reoccurrence of any loss or unauthorized possession, use or knowledge of Confidential Information.

You shall bear the cost incurred by you as a result of compliance with this agreement. You shall not commence any legal action or proceeding regarding any unauthorized possession, use or knowledge of the Confidential Information without the consent of the Company.

Survival

The terms of this document are to survive termination of the producer's agreement with the Company.

ETHICAL MARKET CONDUCT VALUES AND BEHAVIORS

Introduction

The very essence of the financial services industry demands that both the Company and producer consistently maintain the highest possible standards of honest and ethical behavior.

The following values and behaviors represent the foundation the Company's market conduct philosophy.

Value and Behavior #1: *Make recommendations based on the Company's ethical philosophy. Producers must conduct a comprehensive analysis of the insurable needs and financial objectives of the customer including honest and accurate disclosure of the products presented to enable the customer to make an informed and suitable purchasing decision.*

Before making a recommendation to a customer, insurance producers should make a reasonable effort to find out from the customer what the customer believes to be their insurable needs and financial objectives, including relevant financial information. The customer's circumstances should be discussed and the suitability for the purchase of an annuity must be thoroughly reviewed including the consideration of any existing coverages and products when making recommendations.

We strongly encourage the use of fact-finding and needs analysis tools in determining a customer's needs and objectives. Information about fact-finding and needs analysis tools are available through us.

Value and Behavior #2: *At Athene Annuity NY we put clients first through behaviors, decisions and choices made in their best interest.*

Insurance producers and employees should understand the features and operations of our products. They should clearly identify the product being sold and provide balanced, complete information on features, benefits, costs, limitations and contract terms so the customer can make an appropriate buying decision.

We believe that ongoing education in our industry is necessary for competent and customer-focused business. We encourage insurance producers and employees to participate in industry education activities and organizations that seek to enhance current knowledge regarding industry issues, emerging trends, laws and regulations, and product information.

It is critical that producers meet the Company's Contracting and Appointing Standards as referenced on page 2 prior to submitting business with the Company.

Value and Behavior #3: *Practice active and fair competition.*

We are committed to the concept of active and fair competition as the most effective means of providing products and services to our customers. Insurance producers and employees are expected to conduct their business in compliance with state and federal laws fostering fair competition. Insurance producers and employees will not engage in unfair competition, including making disparaging or misleading remarks about a competitor.

We do not encourage the replacement of existing annuity contracts or life insurance policies, and will not accept it as a marketing practice or technique. We believe that replacement of an existing annuity contract or insurance policy must be appropriate for the customer and meet the customer's needs or financial objectives. Insurance producers are expected to provide all material information that the customer needs in order to ascertain whether replacement of an existing policy or contract is appropriate. All replacements must be in compliance with applicable regulations. Many states require accurate written comparisons of existing and proposed contracts to be provided to the customer when proposing a replacement. Insurance producers are expected to know and comply with these requirements.

Value and Behavior #4: *Provide clear, straightforward and factual sales and advertising materials.*

We believe that all sales and advertising materials should be clear as to purpose, and honest and fair as to content. Any material designed to lead to the sale of a product should be presented in a manner consistent with the needs of the customer. Any material that bears our name, logo, or brand or that refers to us or any aspect of our products must be submitted to us and approved in writing prior to use. Also, any illustrations of our products must be only from pre-approved illustration systems to ensure that they contain the required disclosure and interest rates.

Value and Behavior #5: *Handle all consumer complaints and disputes in a fair and ethical manner.*

Maintaining customer trust and confidence requires us to respond as promptly as possible to any customer's complaint. Consumer complaints generally fall into two categories:

- **State Insurance Department Complaints** – complaints that are forwarded directly from the state to us or to our insurance producer; and
- **Direct Customer Complaints** – a written or documented verbal communication received by us or our insurance producer which expresses any indication of dissatisfaction with us, our products, services or insurance producers.

Insurance producers who receive a complaint from a customer or from the New York State Dept. of Financial Services (NYDFS) that involves the Company or any aspect of our products, services or operations, must forward that complaint to the Company immediately. The Company wants to respond promptly, and in fact, many states impose short time limits within which we must respond to complaints. The Company reviews all customer complaints and respond in a way that we believe to be appropriate and fair.

Value and Behavior #6: *Comply with all applicable laws, regulations and Company requirements and to report any activities of which you are aware that may be in violation of this code.*

The Company is committed to complying with all applicable laws and regulations, our Ethical Market Conduct Values and Behaviors. Each insurance producer and Company employee is expected to comply with this Ethical Market Conduct Values and Behaviors, all requirements regarding the sale and marketing of our products, and all applicable laws and regulations such as insurance advertising laws and regulations, unfair competition laws, replacement regulations, anti-money laundering laws and regulations (if applicable), do-not-call laws, and privacy and information security laws and regulations.

In Conclusion

Failure to comply with these values and behaviors, or any applicable laws and regulations, may result in termination of the relationship between the Company and the insurance producer. The Company will maintain and enforce policies and procedures to reasonably ensure compliance, including a system for monitoring sales and marketing practices of its insurance producers and employees. **Athene Annuity NY's Ethical Market Conduct Values and Behaviors do not address all situations that may arise in the course of doing business. If you have specific questions or concerns regarding laws and regulations or the Company requirements, please contact the Company directly.**

APPENDIX

- A. Anti-Money Laundering Program Overview
- B. Sample Suitability Form
- C. Advertising Compliance Form
- D. Regulation 60 Procedures For Selling Annuities On A Replacement Basis
- E. Regulation 194 Commission Disclosure
- F. Approved and Prohibited Professional Designations

Anti-Money Laundering (AML) Overview

Introduction:

The AML Program Overview is designed to supplement training provided by Athene Annuity & Life Assurance Company of New York (the Company), either through its internal training program or that administered by a 3rd party. The Overview is not designed to be all-inclusive nor to replace the AML Program or any training obligations by regulatory authorities.

“Covered Products”:

For the purposes of the AML Program, “covered products” are those defined as: a permanent life insurance policy, other than a group life insurance policy; an annuity contract, other than a group annuity contract; and any other insurance product with features of cash value or investment.

Customer Due Diligence (CDD) Policy Overview:

One of the most important tools the Company has regarding the mitigation of risk concerning potential money laundering activities is an effective CDD policy. No one in the Company knows the customers better than the producer who meets with the clients, gathers financial information, and documents the process meticulously. By completing the required paperwork when selling a covered product, the producer should be able to verify the identity of the customer as well as the source of funds for the proposed transaction. Documents to verify the identity of personal clients include unexpired government-issued photo identification cards (driver’s licenses, military i.d.’s, etc.). Social security cards do not meet this requirement. Documents acceptable to the Company for entities include trust documents and articles of incorporation.

The Company and its producers are prohibited from opening accounts for customers who are not legal US residents. The Company does not conduct business with non-resident aliens or those that cannot demonstrate citizenship status. Applications and payments will not be accepted from individuals who do not have a valid Social Security Number or Tax Identification Number.

The Company will not accept customers who cannot provide evidence of an actual physical address on their application. While the company will accept a Post Office box for a mailing address, a physical address must also be recorded on the application.

Acceptable Forms of Payment:

- Cashier’s checks from a U.S. bank from the remitter’s account. The remitter must be the purchaser on the cashier’s check and must be the owner/annuitant.
- Third party checks that originate from an insurance company, U.S. financial institution, or pension plan and are endorsed over to the appropriate Athene USA company.
- Personal checks from a U.S. bank with the name and address of the Applicant/Owner imprinted on the front of the check.
- Rollover checks and transfer checks (including those connected to a 1035 exchange) received from a U.S. insurance company or U.S. financial institution.
- Wire transfers where the originator is the contract owner and the transfer is drawn from a U.S. bank account.

Unacceptable Forms of Payment:

- Cash (currency) in any amount
- Checks made payable to “cash”
- Money Orders
- Traveler’s checks
- Checks or Wire transfers originating from a foreign bank
- Agent or agency check or wire transfer where the agent is the originator (except when the agent is the owner/annuitant)
- Personal checks or cashier’s checks not made payable to an Athene company
- Checks drawn on the account of someone (an unrelated party) other than the applicant/owner
- Starter or temporary checks without the imprinted name of the applicant/owner

“Red Flags” Requiring Escalation:

- Customers who refuse, or are overly hesitant, to provide required information
- Customers who show unusual lack of concern regarding fees and surrender charges
- Customers who cannot easily explain their business or source of funds
- Account activity is not consistent with previous history or stated purpose for the account
- Customers surrendering, withdrawing or taking out loans shortly after purchasing the product
- Account is receiving and/or distributing funds to an unrelated 3rd party
- Customer deposits funds for less than \$10,000 – including multiple payments – to avoid financial reporting requirements
- Customer overpays premiums and requests refunds

Escalation Process:

If the producer suspects potential money laundering, based either on the “red flags” referenced above or for another reason, he/she should submit any pertinent information to the site listed below or consult with the Director of Compliance. *Under no circumstances should a customer be informed that his/her account is being reviewed for AML purposes.*

To submit any concerns regarding possible fraud or money laundering, please send them to amlfraudreferral@athene.com via the Request for Compliance Form. To discuss any questions or issues with the Company’s AML Program, contact:

Daniel Werner
Director, Compliance
Phone: (515) 342-3528
E-mail: DWerner@athene.com



Athene Annuity & Life Assurance Company of New York

**USA PATRIOT Act
Anti-Money Laundering
Customer Identification Program Notice**

PLEASE READ BEFORE COMPLETING THE APPLICATION

**IMPORTANT INFORMATION YOU NEED TO KNOW ABOUT
APPLYING FOR A POLICY/CONTRACT WITH ATHENE ANNUITY AND LIFE
COMPANY**

To help the government fight the funding of terrorism and money laundering activities, Federal law requires all insurance companies to obtain, verify, and record information that identifies each person who applies for a policy/contract.

What types of information will I need to provide?

For Individuals

We will ask your name; date of birth; physical address (no Post Office Box); identification number (U.S. Citizen: taxpayer identification number i.e. social security number or employer identification number / Non-U.S. Citizen: taxpayer identification number, passport number and country of issuance, alien identification card number, or government-issued identification showing nationality, residence, and a photograph of you).

You will also need to show your driver's license or other identifying documents. If these documents are not available, your agent will explain other verification options to you.

For Legal Entities

A trust, power of attorney or other legal entity will be asked to provide its principle place of business, local office, employer identification number, certified articles of incorporation, government-issued business license, a partnership agreement, or a trust agreement.

What happens if requested information is not provided or my identity can't be verified?

Athene Annuity and Life Company may not be able to approve the application for a policy/contract or carry out transactions for you. If a policy/contract is issued during the verification process, it may have to be cancelled.

We thank you for your patience and your confidence in our company. We hope you will support the insurance industry's efforts to deny terrorist and money launderers access to America's financial system.

Athene Annuity & Life Assurance Company of New York
 Service Center: PO Box 725449 Atlanta, GA 31139

Thank you for your interest in an annuity from Athene Annuity & Life Assurance Company of New York ("Athene Annuity NY"). Before we can process your application and issue your contract, we need to determine if the annuity for which you are applying meets your financial situation and long term goals at this time. Please complete this form as part of the application process, it also ensures compliance with the USA Patriot Act.

Note: Athene Annuity NY does not give legal or tax advice. Please consult a tax advisor for assistance.

Personal Information

Owner / Applicant Full Name	Age	Annuity Product Name
Joint Owner Full Name	Age	Please circle the Surrender Charge Period 3 4 5 6 7 8 9 10 11 12 13 14

Financial Profile

1. What is your current income tax bracket? 0-15% 16-35% over 35%
2. What is your monthly household income?
(This includes wages, social security, pension, interest, investments, etc.) \$ _____
3. What are your current monthly household expenses?
(This includes mortgage/rent, health care, insurance, utilities, etc.) \$ _____
4. What is the current total value of your household liquid assets after this purchase?
(This includes checking/savings accounts, CDs, and investments easily converted to cash if necessary.) \$ _____
5. What is your approximate total household net worth?
(Net worth equals total assets less total debt. Include liquid assets listed above plus: other annuities, retirement accounts, real estate, value of businesses owned, etc. Do not include primary residence or personal property.) \$ _____
6. What percentage of your household net worth does the new annuity for which you are applying represent? 0-25% 26-50% 51-75% 76-100%
7. Which of the following financial/insurance products have you owned and for how long?
 Annuities _____years Certificates of Deposits _____years
 Insurance _____years Stocks / Bonds / Mutual Funds _____years
 No Experience
8. Do you anticipate any significant changes in your future monthly income or monthly expenses during the surrender charge period?
 Yes No If yes, please explain: _____
9. Do you have any other funds *(excluding this annuity)* available to you in the case of an emergency? Please consider any reasonably anticipated future changes in income, living expenses, liquidity and health care needs. *(Select only one answer.)*
 - a. Excluding this annuity, I have adequate assets available in case of an emergency.
 - b. This annuity represents a significant portion of my assets. However, given my circumstances, I believe this annuity is appropriate for me. I am not concerned about any limitations to the access of the assets of this annuity.
 - c. This annuity represents a significant portion of my assets. I would be concerned if I would be unable to access the funds in this annuity without significant penalties.

10. What is your current risk tolerance?*

- Conservative Moderately Conservative Moderate
 Moderately Aggressive Aggressive

***Risk tolerance** means the degree of uncertainty that you can tolerate with regard to a negative change in the financial product. Examples of risk tolerance levels may include the following:

- (1) **Conservative** (prefer little or no risk)
(2) **Moderately Conservative** (some risk, reduced safety of principal)
(3) **Moderate** (average risk with potential losses and potentially higher returns)
(4) **Moderately Aggressive** (above average risk with potential losses, risk of principal, and potentially higher returns)
(5) **Aggressive** (willing to sustain losses or loss of principal in pursuit of higher returns)

11. Does the annuity for which you are applying fall within your risk tolerance?

- Yes No

Financial Objectives

12. Why are you purchasing this annuity? (Check all that apply.)

- Growth followed by Income Guaranteed Lifetime Income Immediate Income
 Income at a Stated Age Minimum Guarantees Pass on to Beneficiaries
 Safety of Principal Tax-Deferred Growth
 Other (Please explain.) _____

13. How do you anticipate taking money from this annuity? (Check all that apply.)

- Annuitize in the future Immediate Income Income Rider
 Interest Earnings Lump Sum Penalty Free/Systematic Withdrawals
 Required Minimum Distributions I don't expect to take withdrawals
 Other (Please explain.) _____

14. When do you anticipate taking your first distribution from this annuity?

- less than 6 years 6-10 years 11-15 years 16 years or more
 I don't expect to take withdrawals

15. How long do you plan to keep this annuity?

- less than 6 years 6-10 years more than 10 years SPIA

16. Does this timeline match the withdrawal charge schedule of the annuity you are purchasing?

- Yes No

17. Do you understand that this annuity may have significant withdrawal and/or MVA (Market Value Adjustment) charges, if applicable, for early withdrawals?

- Yes No

Source of Funds

18. Please select the source(s) of funds used to purchase this annuity.

- | | |
|--|--|
| <input type="checkbox"/> Variable Annuity | <input type="checkbox"/> 401k |
| <input type="checkbox"/> Fixed Annuity | <input type="checkbox"/> 403b |
| <input type="checkbox"/> Indexed Annuity | <input type="checkbox"/> Pension Plan |
| <input type="checkbox"/> Life Insurance | <input type="checkbox"/> Profit Sharing Plan |
| <input type="checkbox"/> CD | <input type="checkbox"/> Brokerage Account |
| <input type="checkbox"/> Checking/Savings/Money Market | <input type="checkbox"/> Stocks/Bonds |
| | <input type="checkbox"/> Other |

19. Will you incur a withdrawal charge or penalty on any money used to fund the purchase of this annuity?

Yes No

If yes, please complete for each source of funds.

Source of Premium (name of product and company name)	Date of Purchase	Purchase Payment	Penalty Percentage	Penalty Amount
_____	_____	\$ _____	_____ %	\$ _____
_____	_____	\$ _____	_____ %	\$ _____
_____	_____	\$ _____	_____ %	\$ _____

20. Does this annuity replace an existing annuity contract or life insurance policy or is it funded by a withdrawal from an existing annuity contract?

Yes No If yes, please complete questions 21 through 24.

21. Why are you replacing the existing annuity?

- Change in Financial Objective
- Immediate Income
- Interest Rates/Interest Crediting Potential
- Multiple Indexing Options
- Other (Please explain.) _____
- Enhanced Benefits
- Increased Liquidity
- Lifetime Income Payout
- Penalty Free Death Benefit

22. Did your agent explain how the existing and new contracts compare concerning surrender charges, interest rates, withdrawal benefits, death benefits and other features and benefits?

Yes No **Owner/Applicant Initials** _____

23. Have you exchanged or replaced any other life insurance policy or annuity contract within the past 60 months?

Yes No **Owner/Applicant Initials** _____

24. Does the contract you are replacing provide you with:

- A. Guaranteed Death Benefits Yes No
- B. Guaranteed Withdrawal Benefits Yes No
- C. Guaranteed Income Benefits Yes No
- D. Guaranteed Accumulation Benefits Yes No
- E. Terminal Illness, Nursing Home or Assisted Living Waiver Yes No

25. Will you use proceeds from a reverse mortgage to purchase this annuity? Yes No

26. Does any owner and/or annuitant reside in a nursing home or assisted living facility? Yes No

27. Is the purchase of this annuity in any way related to the establishment of a trust or based in any way on information provided during the establishment of a trust? Yes No

If purchasing an income or enhanced benefits rider, complete this section also.

28. Do you understand that the rider may only be elected at issue? Yes No

29. Do you understand that there are rider charges and they are deducted from your contract value each year and may be greater than the amount of interest credited? Yes No

30. Have you and your agent discussed the material features of the rider, including eligibility requirements and exclusions? Yes No

If purchasing a single premium immediate annuity (SPIA), complete this section also.

31. Are you aware that after the free look period expires you cannot return the annuity for a refund?

Yes No

32. Do you understand that Athene Annuity NY does not warrant or represent that this annuity will comply with Medicaid qualification rules in your state? Yes No

33. Are you replacing an existing annuity with a Athene Annuity NY SPIA? Yes No



IF THIS APPLICATION WILL REPLACE AN EXISTING ANNUITY CONTRACT OR LIFE INSURANCE POLICY, A CURRENT STATEMENT OR CURRENT VALUES PRINTOUT MUST BE PROVIDED.



Owner Statement. I affirm by signing this document:

- The purchase of this annuity from Athene Annuity NY is **SUITABLE** and **APPROPRIATE** for my needs;
- The agent has reviewed the **DISCLOSURE STATEMENT** for the annuity being applied for and **PROVIDED ME** with a copy;
- I acknowledge that all questions were answered truthfully. I have read and understand the above questions and statements.
- I reviewed the Customer Identification Program Notice (form 19578) and agree with the terms of the notice.

Signature of Owner X _____ Date Signed _____

Printed Name of Owner _____

Joint Owner (if applicable) X _____ Date Signed _____

Printed Name of Joint Owner (if applicable) _____

Agent Statement. I affirm by signing this document:

- I have made no representation that differs from company approved sales materials;
- I have made no promise about the future values of the annuity contract;
- I have reviewed the Applicant/Owner(s) financial objectives, financial, health, and age information along with the above and agree that the sale of this annuity is **SUITABLE**.
- That I have reviewed the **DISCLOSURE STATEMENT** for the annuity being applied for and **PROVIDED** a copy to the Applicant/Owner(s).

Signature of Writing Agent X _____ Date Signed _____

Printed Name of Writing Agent _____

This completed suitability form must be submitted to Athene Annuity NY with a completed application and other required paperwork at point of sale. Please leave a copy with the applicant.



Athene Annuity & Life Assurance Company of New York

Thank you for choosing to advertise our products. We sincerely appreciate the attention you have given to our products and look forward to increased sales revenues as a result of your advertising efforts.

Although advertising is an excellent way to reach the masses, all insurance advertising must meet the compliance guidelines established by National Association of Insurance Commissioners (NAIC). Therefore, **ALL Athene Annuity & Life Assurance of New York ("Athene Annuity NY") advertising must be reviewed by the Company prior to use or publication.** Please note: Advertising without prior approval is in violation of your contract with us and may be grounds for termination.

What is Advertising?

Advertising is a broad term that includes solicitations to **consumers and producers** such as newspaper/magazine ads, Web sites, online ads, online articles, e-mail promotions, direct mail letters, brochures, flyers, postcards, handouts, posters, etc. **The NAIC defines advertising as** "printed, written or verbal material designed to create public interest in insurance generally, specifically life insurance or annuity products, in an insurer or agent, even though a specific product is not advertised, or to induce the public to modify, increase, reinstate, borrow on, surrender, replace or retain a policy."

State Insurance Department Requirements

Each state insurance department requires our company to "maintain a complete file containing a specimen copy of every printed published or prepared advertisement." The regulation also requires each file to contain a "notation indicating the manner and extent of distribution and the form number of any policy advertised." The company complies with these regulations by requiring all producers to 1) submit advertising for approval prior to use and 2) complete the Advertising Compliance Form for each ad.

Consumer and Producer Advertising Approval Procedures

If you would like to use an ad slick or letter or produce a custom ad, letter, flyer, internet posting or brochure for one of our products, please follow these 5 easy steps.

1. **COMPLETE** the Advertising Compliance form (S6174-NY) and e-mail, mail or fax it to the Marketing Department with the layout of your ad, flyer, brochure or letter prior to publication and/or mailing. Letters should be printed on your letterhead.
2. **ALLOW** a minimum of 10 working days for approval. (Turnaround time may be less depending on the specific situation.) If your submission requires revisions, you will be asked to resubmit it for approval prior to use.
3. **WAIT** to use your ad, letter, flyer or brochure until you receive final approval confirmation from our company.
4. **NOTIFY** our company if your advertising plans change.
5. **SUBMIT** a final copy of your ad, flyer, brochure or letter (printed on your letterhead) to Athene Annuity NY Marketing Communications.

For Questions, Further Assistance, Current State Approvals

Please direct advertising compliance questions to the Athene Annuity NY Marketing Department to adreview@athene.com. For up-to-date state approvals, please [visit the product information page of our agent website](#).

ATHENE ANNUITY NY ADVERTISING COMPLIANCE FORM

NAME: _____

E-MAIL: _____ PHONE NUMBER: _____

SUBJECT OF AD (*product name if applicable*): _____

ADVERTISEMENT FORM NUMBER: _____

PRODUCT POLICY FORM #: _____

MEDIA: _____

CIRCULATION: _____ QUANTITY: _____

AUDIENCE: Producer Existing Clients Prospective Clients

Other, explain: _____

STATE(S) OF DISTRIBUTION: _____

Producer is licensed in state(s) of distribution.

PUBLICATION DATE(S) OF AD OR DATE(S) LETTER MAILED _____

FOR COMPANY USE ONLY

Approved as submitted

Approved with alterations made. Explain: _____

Make alterations & return revised version for filing purposes

Print revised versions on letterhead

Make alteration & resubmit for approval.

APPROVED BY: _____

DATE: _____

Policy Form Number Indicated? YES

ATHENE ANNUITY & LIFE ASSURANCE COMPANY OF NEW YORK

7700 Mills Civic Parkway

West Des Moines, IA 50266

Athene Annuity & Life Assurance Company of New York

Regulation 60 Procedures For Selling Annuities On A Replacement Basis In The State of New York

Introduction

Replacement sales in New York are subject to requirements of Regulation 60. The regulation is designed to protect customers who are considering the replacement of their life insurance policies or annuity contracts. Regulation 60 requires insurers and their appointed agents to provide prescribed comparative information to customers when a life insurance policy or annuity contract is being replaced. To comply with NYDFS Regulation 60, these procedures are intended to inform and train our agents and brokers with respect to the requirements. The Company calls for a two-phase procedural process. The requirements of each phase are described below, and agents must comply fully with these procedures.

Special Forms

Special forms must be used for replacement transactions in New York. These forms are listed below and can be found on the Athene Annuity & Life Assurance Company of New York ("Athene Annuity NY") web site.

Forms Used For Phase 1

- **Definition of Replacement** (NYRPL11 (Alternate 1))
- **Authorization to Obtain Disclosure Information** (ANY133(09.13))

Forms Used For Phase 2

- **Disclosure Statement** (NYRPL10A (Alternate 1) or NYRPL10B (Alternate 1)) (**Note:** There is one form to be used only for annuity to annuity replacements and a separate form to be used for all other types of replacements.)
- **Important Notice Regarding Replacement** (NYRPL10C (Alternate 1))
- All questions must be answered. **Blank answers not accepted**, must use 'N/A' (not appropriate) to fill in blank answer lines.
- List every available reason(s) for recommendation of new contracts, why existing contracts do not meet customer's objectives and list advantages available to continue existing contract.

Phase 1 Procedure

Step 1. Complete Definition of Replacement Form

Prior to completing or taking a New York Application, the Definition of Replacement form must be completed and signed by both the customer and agent for all sales in the State of New York.

If any of the questions on the Definition of Replacement form are answered "yes," the proposed sale is a replacement and additional forms are required before an application can be completed. Go to Step 2 of Phase 1.

If in Step 1 all questions on the Definition of Replacement are answered "no", the sale is not a

replacement. In this situation, the sale can be completed at this time by both the customer and agent completing and signing the application, and submitting the original application and Definition of Replacement form to Athene Annuity NY. Provide a copy of the Definition of Replacement to the customer. No further action is required under Regulation 60.

Step 2. Authorization to Release Obtain Disclosure Information

Agent completes and obtains customer signature on the Authorization to Obtain Disclosure Information. The Definition of Replacement and the Authorization to Obtain Information MUST be dated the same.

Step 3. Phase 1 Forms Submittal

Agent submits Definition of Replacement form and the Authorization to Obtain Disclosure Information form to Athene Annuity NY's new business service center. The customer and agent must sign and date the definition of replacement form and the authorization to obtain disclosure information form.

At this point the agent requirements for Phase 1 have been fulfilled.

Within 10 days of receipt of the completed and signed Phase 1 forms described above, Athene Annuity NY will request from the existing carrier the information needed to complete the applicable Disclosure Statement form (depending on whether an annuity contract or life insurance policy is being replaced). Under Regulation 60, the existing carrier whose Annuity/Life Insurance contract is potentially being replaced has 20 days from receipt of the request from Athene Annuity NY to provide the information to complete the Disclosure Statement. Athene Annuity NY must wait for that period of time to receive the information.

Phase 2 Procedure

Step 1. Athene Annuity NY New Business Contacts Agent

Once the necessary information to complete the appropriate Disclosure Statement is received from the existing insurer, the Athene Annuity NY New Business unit will review to determine if replacement meets the customers objective. If appropriate, the new business unit will input the disclosure information for the existing Annuity/Life contract as well as the required information for the proposed contract onto the Disclosure Statement. The New Business unit will provide the agent with the following required Phase 2 documents/forms:

- Disclosure Statement (NYRPL10A (Alternate 1) or NYRPL10B (Alternate 1)) (**Note:** All questions must be answered, no blanks, must use 'N/A' (not appropriate) to fill in blank answer.)
- Important Notice Regarding The Replacement Or Change Of Life Insurance Policies Or Annuity Contracts (NYRPL10C (Alternate 1))
- Application and other required new business forms

Step 2. Completion of Disclosure Statement (Note:** All questions must be answered, no blanks, must use 'N/A' (not appropriate) to fill in blank answers.)**

The agent prepares the Disclosure Statement for customer review by thoroughly reviewing it for accuracy and by completing and signing the "Agent's Statement" section of the disclosure document. Questions 1-3 on NYRPL10A (Alternate 1) and Questions 1-4 on NYRPL10B (Alternate 1) are to be answered, to include every available reason(s) for recommendations of new contracts, why existing contracts cannot meet customer's needs and list all advantages to

continue existing contract or policy (e.g. no surrender charge).

Step 3. Agent/Customer Meeting

The agent meets with the customer to review the required forms listed below and obtain the customer signature on them:

- Disclosure Statement (NYRPL10A (Alternate 1) or NYRPL10B (Alternate 1)) (**Note:** Be sure to check off whether or not a proposal or sales material was used and attach copies if applicable.) (**Note:** All questions must be answered, no blanks, must use 'N/A' (not appropriate) to fill in blank answer lines.)
- Important Notice Regarding The Replacement Or Change Of Life Insurance Policies Or Annuity Contracts (NYRPL10C (Alternate 1))
- Application Packet (to include all required point of sale forms)

The customer must receive a copy of each signed form for his or her records.

Step 4. Final Submission By Agent

Agent submits the following completed and signed forms to Athene Annuity NY New Business:

- Disclosure Statement (NYRPL10A (Alternate 1) or NYRPL10B (Alternate 1))
- Important Notice Regarding The Replacement Or Change Of Life Insurance Policies Or Annuity Contracts (NYRPL10C (Alternate 1))
- Application Packet (to include the proposal and sales materials and all required point of sale forms)

Agent requirements for Phase 2 are now complete.

If the forms are not received with the application or are not accurate, the Agent will have 10 days to correct the deficiencies.



Annuities issued by Athene Annuity & Life Assurance Company of New York

New York Agents Regulation 194 Commission Disclosure

On Saturday, January 1, 2011, New York State Regulation 194 regarding commission disclosure becomes effective in order to create “Producer Compensation Transparency.”

The following must be disclosed to the Purchaser either orally or in writing at or prior to the time of application for the annuity contract or insurance policy. If the disclosure is first given orally, it must be supplemented with a prominent written notice before or at the time the annuity contract or insurance policy is issued. It is not sufficient to give only a verbal disclosure.

- A description of the role of the Insurance Producer (Agent) in the Sale.
- That all Athene Annuity NY Agents receive commission.
- That commission rates vary depending on the product and the Agents’ commission scale.
- And that the Purchaser may obtain detailed information about the expected Agent commission by making a written request to the Agent.

If the Purchaser makes a request for a detailed commission disclosure, the Agent must provide a prominent written disclosure. Records of these requests must be retained by the Agent for three years.

To learn more about this New York regulation go to:
http://www.dfs.ny.gov/insurance/r_finala/2010/rf194txt.pdf



Annuities issued by Athene Annuity & Life Assurance Company of New York

Use of Professional Designations

Effective as of the date these Advertising Guidelines are published, the only designations that are approved for use are those issued by accredited universities, colleges or professional societies that involve a rigorous curriculum. Unless a designation is on the approved list it may not be used in conjunction with the marketing or sale of Athene products. The use of the following financial services industry designations in conjunction with advertising material is permitted.

Approved Designations

CAS	Certified Annuity Specialist	CPA	Certified Public Accountant
CASL	Chartered Advisor for Senior Living	CPC	Certified Pension Consultant
CEBS	Certified Employee Benefit Specialist	CPCU	Certified Property Casualty Underwriter
CEP	Certified Estate Planner*	CRPC	Chartered Retirement Planning Counselor
CFA	Chartered Financial Analyst	CRSP	Chartered Retirement Services Professional
CFEd	Certified Financial Educator	FLMI	Fellow, Life Management Institute
CFP	Certified Financial Planner**	LUTCF	Life Underwriting Training Counsel Fellow
ChFC	Chartered Financial Consultant***	MSFS	Masters of Science in Financial Services
CIC	Certified Insurance Counselor	REBC	Registered Employee Benefits Consultant
CLTC	Certified in Long Term Care	RFC	Registered Financial Consultant***
CLU	Chartered Life Underwriter	RHU	Registered Health Underwriter

*The CEP (Certified Estate Planner) designation is approved only if one of the following identifications accompanies it in **every** instance of its use: "Licensed Insurance Agent," "Licensed Insurance Producer" or "Licensed Insurance Professional" Agents licensed in the state of Illinois are not authorized to use the CEP designation until further notice.

**The CFP (Certified Financial Planner) designation may be used. However, no annuity producer may use such designation or the terms "financial planner", "financial advisor", or "investment advisor" in such a way as to imply that he or she is generally engaged in an advisory business in which compensation is unrelated to sales unless that actually is the case and the producer is properly registered as such.

***The ChFC and RFC designations may be used. However, no insurance producer may use either designation in such a way as to imply that he or she is generally engaged in a consulting business in which compensation is unrelated to sales.



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The following designations have been reviewed and may not be used in conjunction with the sale or attempted sale of our annuity products:

Prohibited Designations

CAA	Certified Annuity Advisor	CSA	Certified Senior Advisor
CAC	Certified Annuity Consultant	CSEP	Certified Senior Estate Planner
CDP	Certified Divorce Planner	CSFP	Chartered Senior Financial Planner
CEA	Certified Estate Advisor	CTEA	Chartered Trust and Estate Advisor
CEPS	Certified Elder Planning Specialist	CWCA	Certified Workers Compensation Advisor
ChFEBC	Chartered Federal Employee Benefit Consultant	MSAA	Medicare Supplement Accredited Advisor
RCA	Registered Clergy Advisor	QRP	Qualified Retirement Planner
CMFC	Chartered Mutual Fund Counselor	RFA	Registered Financial Associate
CRFA	Chartered Retirement Financial Advisor	RFP	Registered Financial Planner
		SRFP	Senior Registered Financial Planner

To review a bulletin from the New York Department of Financial Services, go to:
http://assembly.state.ny.us/leg/?default_fld=&bn=A01787&term=2013&Text=Y

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