Substitute Form W-8BEN-E (Rev. October 2021)

Certificate of Status of Beneficial Owner for United States Tax Withholding and Reporting (Entities)

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Clients of independent investment advisors, contact your advisor directly or call Schwab Alliance at **1-800-515-2157.**

To return your completed form to Schwab:

- Scan the completed form, then email it to Schwab via the Schwab.com Message Center (login required);
- Fax the completed form to Schwab using one of the fax numbers at left; or
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Mail forms to:

Schwab International Operations
P.O. Box 982601
El Paso, TX 79998-2601
United States of America

For overnight mail:

Schwab International Operations
1945 Northwestern Dr.
El Paso, TX 79912
United States of America

Do NOT use this form for:

	Instead, use Form:
U.S. entity or U.S. citizen or resident	W-9
A foreign individual	W-8BEN (Individual) or Form 8233
A foreign individual or entity claiming that income is effectively connected with the conduct of trade or business within the U.S. (unless claiming treaty benefits)	W-8ECI
A foreign partnership, a foreign simple trust, or a foreign grantor trust (unless claiming treaty benefits) (see instructions for exceptions)	W-8IMY
A foreign government, international organization, foreign central bank of issue, foreign tax-exempt organization, foreign private foundation, or government of a U.S. possession claiming that income is effectively connected U.S. income or that is claiming the applicability of section(s) 115(2), 501(c), 892, 895, or 1443(b) (unless claiming treaty benefits) (see instructions for exceptions)	W-8ECI or W-8EXP
Any person acting as an intermediary (including a qualified intermediary acting as a qualified derivatives dealer)	W-8IMY

Note: See IRS instructions for additional exceptions.

IRS Requirement to Provide Your Foreign Taxpayer Identification Number

Entities organized in most foreign countries are required to provide their Foreign Taxpayer Identification Number (FTIN) on Line 9b. Your FTIN is the Taxpayer Identification Number issued to you by your jurisdiction of tax residence.

If your jurisdiction of tax residence doesn't issue TINs, or if you haven't been issued an FTIN, you may check the box on Line 9c. **Do not write "Not Applicable" on Line 9b.**

If you're a resident of Australia, Bermuda, British Virgin Islands, Cayman Islands, or Japan, you aren't required to complete Line 9b or provide your FTIN.

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OMB No. 1545-1621

Substitute Form W-8BEN-E

Certificate of Status of Beneficial Owner for United States Tax Withholding and Reporting (Entities)

Department of the Treasury, Internal Revenue Service (IRS)

- For use by entities. Individuals must use Form W-8BEN.
- Section references are to the Internal Revenue Code.
- Information about Form W-8BEN-E and its separate instructions is at www.irs.gov/formw8bene.
- Give this form to the withholding agent or payer. Do not send to the IRS.

Part I Identification of Beneficial Owner

1 Name of organization that is the beneficial owner

2 Country of incorporation or organization

3 Name of disregarded entity receiving the payment *(if applicable, see instructions)*

Must check one box only >

4 Chapter 3 Status *(entity type)*

- ☐ Corporation
- ☐ Partnership
- ☐ Simple trust
- ☐ Central Bank of Issue
- ☐ Grantor trust
- ☐ Tax-exempt organization
- ☐ Private foundation
- ☐ Disregarded entity
- ☐ Complex trust
- ☐ Estate
- ☐ International organization
- ☐ Foreign Government - Controlled Entity
- ☐ Foreign Government - Integral Part

If you entered disregarded entity, partnership, simple trust, or grantor trust above, is the entity a hybrid making a treaty claim? If "Yes" complete Part III. ☐ Yes ☐ No

See instructions for details and complete the certification below for the entity's applicable status. >

5 Chapter 4 Status *(FATCA status)*

- ☐ Nonparticipating FFI (including an FFI related to a Reporting IGA FFI other than a deemed-compliant FFI, participating FFI, or exempt beneficial owner).
- ☐ Participating FFI.
- ☐ Reporting Model 1 FFI.
- ☐ Reporting Model 2 FFI.
- ☐ Registered deemed-compliant FFI (other than a reporting Model 1 FFI, sponsored FFI, or nonreporting IGA FFI covered in Part XII). See instructions.
- ☐ Sponsored FFI. Complete Part IV.
- ☐ Certified deemed-compliant nonregistering local bank. Complete Part V.
- ☐ Certified deemed-compliant FFI with only low-value accounts. Complete Part VI.
- ☐ Certified deemed-compliant sponsored, closely held investment vehicle. Complete Part VII.
- ☐ Certified deemed-compliant limited life debt investment entity. Complete Part VIII.
- ☐ Certain investment entities that do not maintain financial accounts. Complete Part IX.
- ☐ Owner-documented FFI. Complete Part X.
- ☐ Restricted distributor. Complete Part XI.
- ☐ Nonreporting IGA FFI. Complete Part XII.
- ☐ Foreign government, government of a U.S. possession, or foreign central bank of issue. Complete Part XIII.
- ☐ International organization. Complete Part XIV.
- ☐ Exempt retirement plans. Complete Part XV.
- ☐ Entity wholly owned by exempt beneficial owners. Complete Part XVI.
- ☐ Territory financial institution. Complete Part XVII.
- ☐ Excepted nonfinancial group entity. Complete Part XVIII.
- ☐ Excepted nonfinancial start-up company. Complete Part XIX.
- ☐ Excepted nonfinancial entity in liquidation or bankruptcy. Complete Part XX.
- ☐ 501(c) organization. Complete Part XXI.
- ☐ Nonprofit organization. Complete Part XXII.
- ☐ Publicly traded NFFE or NFFE affiliate of a publicly traded corporation. Complete Part XXIII.
- ☐ Excepted territory NFFE. Complete Part XXIV.
- ☐ Active NFFE. Complete Part XXV.
- ☐ Passive NFFE. Complete Part XXVI.
- ☐ Excepted inter-affiliate FFI. Complete Part XXVII.
- ☐ Direct reporting NFFE.
- ☐ Sponsored direct reporting NFFE. Complete Part XXVIII.
- ☐ Account that is not a financial account.

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Part I Identification of Beneficial Owner *continued*

Do not use a P.O. Box or an in-care-of address *(other than a registered address)*.

6 Permanent residence address *(street, apt. or suite no. or rural route)*

City or town, state or province | **Country**

Include postal code where appropriate.

7 Mailing address *(If different from above)*

City or town, state or province | **Country**

Include postal code where appropriate.

8 U.S. taxpayer identification number (TIN), if required

9a GIIN | **b Foreign TIN** | **c** Check if FTIN not legally required ☐

10 Reference number(s) *(see instructions)*

Note: Please complete remainder of the form including signing the form in Part XXX.

Part II Disregarded Entity or Branch Receiving Payment. (See instructions.)

Complete only if a disregarded entity with a GIIN or a branch of an FFI in a country other than the FFI's country of residence. *See instructions.*

11 Chapter 4 Status (FATCA status) of disregarded entity or branch receiving payment

☐ Branch treated as nonparticipating FFI. ☐ Reporting Model 1 FFI. ☐ U.S. Branch.
☐ Participating FFI. ☐ Reporting Model 2 FFI.

Do not use a P.O. Box or an in-care-of address *(other than a registered address)*.

12 Address of disregarded entity or branch *(street, apt. or suite no., or rural route)*

City or town, state or province | **Country**

Include postal code where appropriate.

13 GIIN *(if any)*

Part III Claim of Tax Treaty Benefits (if applicable). (For chapter 3 purposes only.)

14 I certify that (check all that apply):

a ☐ The beneficial owner is a resident of _____ within the meaning of the income tax treaty between the United States and that country.

b ☐ The beneficial owner derives the item (or items) of income for which the treaty benefits are claimed, and, if applicable, meets the requirements of the treaty provision dealing with limitation on benefits. The following are types of limitation on benefits provisions that may be included in an applicable tax treaty (check only one; see instructions):

☐ Government
☐ Tax-exempt pension trust or pension fund
☐ Other tax-exempt organization
☐ Publicly traded corporation
☐ Subsidiary of a publicly traded corporation
☐ Company that meets the ownership and base erosion test
☐ Company that meets the derivative benefits test
☐ Company with an item of income that meets active trade or business test
☐ Favorable discretionary determination by the U.S. competent authority received
☐ No LOB article in treaty
☐ Other (specify Article and paragraph): _____

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Part III Claim of Tax Treaty Benefits (if applicable). (For chapter 3 purposes only.) *continued*

c ☐ The beneficial owner is claiming treaty benefits for U.S. source dividends received from a foreign corporation or interest from a U.S. trade or business of a foreign corporation and meets qualified resident status (see instructions).

15 **Special rates and conditions** *(if applicable—see instructions)*:
The beneficial owner is claiming the provisions of Article and paragraph _____ of the treaty identified on line 14a above to claim a _____% rate of withholding on (specify type of income): _____

Explain the additional conditions in the Article the beneficial owner meets to be eligible for the rate of withholding:

_____

_____

Part IV Sponsored FFI

16 Name of sponsoring entity: _____

17 **Check whichever box applies.**

☐ I certify that the entity identified in Part I:

- Is an investment entity;
- Is not a QI, WP (except to the extent permitted in the withholding foreign partnership agreement), or WT; **and**
- Has agreed with the entity identified above (that is not a nonparticipating FFI) to act as the sponsoring entity for this entity.

☐ I certify that the entity identified in Part I:

- Is a controlled foreign corporation as defined in section 957(a);
- Is not a QI, WP, or WT;
- Is wholly owned, directly or indirectly, by the U.S. financial institution identified above that agrees to act as the sponsoring entity for this entity; **and**
- Shares a common electronic account system with the sponsoring entity (identified above) that enables the sponsoring entity to identify all account holders and payees of the entity and to access all account and customer information maintained by the entity including, but not limited to, customer identification information, customer documentation, account balance, and all payments made to account holders or payees.

Part V Certified Deemed-Compliant Nonregistering Local Bank

18 ☐ I certify that the FFI identified in Part I:

- Operates and is licensed solely as a bank or credit union (or similar cooperative credit organization operated without profit) in its country of incorporation or organization;
- Engages primarily in the business of receiving deposits from and making loans to, with respect to a bank, retail customers unrelated to such bank and, with respect to a credit union or similar cooperative credit organization, members, provided that no member has a greater than 5% interest in such credit union or cooperative credit organization;
- Does not solicit account holders outside its country of organization;
- Has no fixed place of business outside such country (for this purpose, a fixed place of business does not include a location that is not advertised to the public and from which the FFI performs solely administrative support functions);
- Has no more than $175 million in assets on its balance sheet and, if it is a member of an expanded affiliated group, the group has no more than $500 million in total assets on its consolidated or combined balance sheets; **and**
- Does not have any member of its expanded affiliated group that is a foreign financial institution, other than a foreign financial institution that is incorporated or organized in the same country as the FFI identified in Part I and that meets the requirements set forth in this part.

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Part VI Certified Deemed-Compliant FFI with Only Low-Value Accounts

19 ☐ I certify that the FFI identified in Part I:

- Is not engaged primarily in the business of investing, reinvesting, or trading in securities, partnership interests, commodities, notional principal contracts, insurance or annuity contracts, or any interest (including a futures or forward contract or option) in such security, partnership interest, commodity, notional principal contract, insurance contract or annuity contract;
- No financial account maintained by the FFI or any member of its expanded affiliated group, if any, has a balance or value in excess of $50,000 (as determined after applying applicable account aggregation rules); **and**
- Neither the FFI nor the entire expanded affiliated group, if any, of the FFI, have more than $50 million in assets on its consolidated or combined balance sheet as of the end of its most recent accounting year.

Part VII Certified Deemed-Compliant Sponsored, Closely Held Investment Vehicle

20 Name of sponsoring entity: _____

21 ☐ I certify that the entity identified in Part I:

- Is an FFI solely because it is an investment entity described in Regulations section 1.1471-5(e)(4);
- Is not a QI, WP, or WT;
- Will have all of its due diligence, withholding, and reporting responsibilities (determined as if the FFI were a participating FFI) fulfilled by the sponsoring entity identified on line 20; **and**
- 20 or fewer individuals own all of the debt and equity interests in the entity (disregarding debt interests owned by U.S. financial institutions, participating FFIs, registered deemed-compliant FFIs, and certified deemed-compliant FFIs and equity interests owned by an entity if that entity owns 100% of the equity interests in the FFI and is itself a sponsored FFI).

Part VIII Certified Deemed-Compliant Limited Life Debt Investment Entity

22 ☐ I certify that the entity identified in Part I:

- Was in existence as of January 17, 2013;
- Issued all classes of its debt or equity interests to investors on or before January 17, 2013, pursuant to a trust indenture or similar agreement; **and**
- Is certified deemed-compliant because it satisfies the requirements to be treated as a limited life debt investment entity (such as the restrictions with respect to its assets and other requirements under Regulations section 1.1471-5(f)(2)(iv)).

Part IX Certain Investment Entities that Do Not Maintain Financial Accounts

23 ☐ I certify that the entity identified in Part I:

- Is a financial institution solely because it is an investment entity described in Regulations section 1.1471-5(e)(4)(i)(A), **and**
- Does not maintain financial accounts.

Part X Owner-Documented FFI

Note: This status only applies if the U.S. financial institution, participating FFI, or reporting Model 1 FFI to which this form is given has agreed that it will treat the FFI as an owner-documented FFI (see instructions for eligibility requirements). In addition, the FFI must make the certifications below.

24a ☐ (All owner-documented FFIs check here) I certify that the FFI identified in Part I:

- Does not act as an intermediary;
- Does not accept deposits in the ordinary course of a banking or similar business;
- Does not hold, as a substantial portion of its business, financial assets for the account of others;
- Is not an insurance company (or the holding company of an insurance company) that issues or is obligated to make payments with respect to a financial account;

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Part X Owner-Documented FFI *continued*

- Is not owned by or in an expanded affiliated group with an entity that accepts deposits in the ordinary course of a banking or similar business, holds, as a substantial portion of its business, financial assets for the account of others, or is an insurance company (or the holding company of an insurance company) that issues or is obligated to make payments with respect to a financial account;
- Does not maintain a financial account for any nonparticipating FFI; **and**
- Does not have any specified U.S. persons that own an equity interest or debt interest (other than a debt interest that is not a financial account or that has a balance or value not exceeding $50,000) in the FFI other than those identified on the FFI owner reporting statement.

Check box 24b or 24c, whichever applies.

b ☐ I certify that the FFI identified in Part I:

- Has provided, or will provide, an FFI owner reporting statement that contains:
  - **(i)** The name, address, TIN (if any), chapter 4 status, and type of documentation provided (if required) of every individual and specified U.S. person that owns a direct or indirect equity interest in the owner-documented FFI (looking through all entities other than specified U.S. persons);
  - **(ii)** The name, address, TIN (if any), and chapter 4 status of every individual and specified U.S. person that owns a debt interest in the owner-documented FFI (including any indirect debt interest, which includes debt interests in any entity that directly or indirectly owns the payee or any direct or indirect equity interest in a debt holder of the payee) that constitutes a financial account in excess of $50,000 (disregarding all such debt interests owned by participating FFIs, registered deemed-compliant FFIs, certified deemed-compliant FFIs, excepted NFFEs, exempt beneficial owners, or U.S. persons other than specified U.S. persons); **and**
  - **(iii)** Any additional information the withholding agent requests in order to fulfill its obligations with respect to the entity.
- Has provided, or will provide, valid documentation meeting the requirements of Regulations section 1.1471-3(d)(6)(iii) for each person identified in the FFI owner reporting statement.

c ☐ I certify that the FFI identified in Part I has provided, or will provide, an auditor's letter, signed within 4 years of the date of payment, from an independent accounting firm or legal representative with a location in the United States stating that the firm or representative has reviewed the FFI's documentation with respect to all of its owners and debt holders identified in Regulations section 1.1471-3(d)(6)(iv)(A)(2), and that the FFI meets all the requirements to be an owner-documented FFI. The FFI identified in Part I has also provided, or will provide, an FFI owner reporting statement of its owners that are specified U.S. persons and Form(s) W-9, with applicable waivers.

Check box 24d if applicable *(optional, see instructions)*.

d ☐ I certify that the entity identified on line 1 is a trust that does not have any contingent beneficiaries or designated classes with unidentified beneficiaries.

Part XI Restricted Distributor

25a ☐ (All restricted distributors check here) I certify that the entity identified in Part I:

- Operates as a distributor with respect to debt or equity interests of the restricted fund with respect to which this form is furnished;
- Provides investment services to at least 30 customers unrelated to each other and less than half of its customers are related to each other;
- Is required to perform AML due diligence procedures under the anti-money laundering laws of its country of organization (which is an FATF-compliant jurisdiction);
- Operates solely in its country of incorporation or organization, has no fixed place of business outside of that country, and has the same country of incorporation or organization as all members of its affiliated group, if any;
- Does not solicit customers outside its country of incorporation or organization;
- Has no more than $175 million in total assets under management and no more than $7 million in gross revenue on its income statement for the most recent accounting year;

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Part XI Restricted Distributor *continued*

- Is not a member of an expanded affiliated group that has more than $500 million in total assets under management or more than $20 million in gross revenue for its most recent accounting year on a combined or consolidated income statement; **and**
- Does not distribute any debt or securities of the restricted fund to specified U.S. persons, passive NFFEs with one or more substantial U.S. owners, or nonparticipating FFIs.

Check box 25b or 25c, whichever applies.

I further certify that with respect to all sales of debt or equity interests in the restricted fund with respect to which this form is furnished that are made after December 31, 2011, the entity identified in Part I:

b ☐ Has been bound by a distribution agreement that contained a general prohibition on the sale of debt or securities to U.S. entities and U.S. resident individuals and is currently bound by a distribution agreement that contains a prohibition of the sale of debt or securities to any specified U.S. person, passive NFFE with one or more substantial U.S. owners, or nonparticipating FFI.

c ☐ Is currently bound by a distribution agreement that contains a prohibition on the sale of debt or securities to any specified U.S. person, passive NFFE with one or more substantial U.S. owners, or nonparticipating FFI and, for all sales made prior to the time that such a restriction was included in its distribution agreement, has reviewed all accounts related to such sales in accordance with the procedures identified in Regulations section 1.1471-4(c) applicable to preexisting accounts and has redeemed or retired any, or caused the restricted fund to transfer the securities to a distributor that is a participating FFI or reporting Model 1 FFI securities which were sold to specified U.S. persons, passive NFFEs with one or more substantial U.S. owners, or nonparticipating FFIs.

Part XII Nonreporting IGA FFI

26 ☐ I certify that the entity identified in Part I:

- Meets the requirements to be considered a nonreporting financial institution pursuant to an applicable IGA between the United States and _____ . The applicable IGA is a ☐ Model 1 IGA or a ☐ Model 2 IGA; and is treated as a _____ under the provisions of the applicable IGA or Treasury regulations *(if applicable, see instructions)*;
- If you are a trustee documented trust or a sponsored entity, provide the name of the trustee or sponsor _____ . The trustee is: ☐ U.S. ☐ Foreign

Part XIII Foreign Government, Government of a U.S. Possession, or Foreign Central Bank of Issue

27 ☐ I certify that the entity identified in Part I is the beneficial owner of the payment, and is not engaged in commercial financial activities of a type engaged in by an insurance company, custodial institution, or depository institution with respect to the payments, accounts, or obligations for which this form is submitted (except as permitted in Regulations section 1.1471-6(h)(2)).

Part XIV International Organization

Check box 28a or 28b, whichever applies.

28a ☐ I certify that the entity identified in Part I is an international organization described in section 7701(a)(18).

b ☐ I certify that the entity identified in Part I:

- Is comprised primarily of foreign governments;
- Is recognized as an intergovernmental or supranational organization under a foreign law similar to the International Organizations Immunities Act or that has in effect a headquarters agreement with a foreign government;
- The benefit of the entity's income does not inure to any private person; **and**
- Is the beneficial owner of the payment and is not engaged in commercial financial activities of a type engaged in by an insurance company, custodial institution, or depository institution with respect to the payments, accounts, or obligations for which this form is submitted (except as permitted in Regulations section 1.1471-6(h)(2)).

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Part XV Exempt Retirement Plans

Check box 29a, b, c, d, e, or f, whichever applies.

29a ☐ I certify that the entity identified in Part I:

- Is established in a country with which the United States has an income tax treaty in force (see Part III if claiming treaty benefits);
- Is operated principally to administer or provide pension or retirement benefits; **and**
- Is entitled to treaty benefits on income that the fund derives from U.S. sources (or would be entitled to benefits if it derived any such income) as a resident of the other country which satisfies any applicable limitation on benefits requirement.

b ☐ I certify that the entity identified in Part I:

- Is organized for the provision of retirement, disability, or death benefits (or any combination thereof) to beneficiaries that are former employees of one or more employers in consideration for services rendered;
- No single beneficiary has a right to more than 5% of the FFI's assets;
- Is subject to government regulation and provides annual information reporting about its beneficiaries to the relevant tax authorities in the country in which the fund is established or operated; **and**
  - **(i)** Is generally exempt from tax on investment income under the laws of the country in which it is established or operates due to its status as a retirement or pension plan;
  - **(ii)** Receives at least 50% of its total contributions from sponsoring employers (disregarding transfers of assets from other plans described in this part, retirement and pension accounts described in an applicable Model 1 or Model 2 IGA, other retirement funds described in an applicable Model 1 or Model 2 IGA, or accounts described in Regulations section 1.1471-5(b)(2)(i)(A));
  - **(iii)** Either does not permit or penalizes distributions or withdrawals made before the occurrence of specified events related to retirement, disability, or death (except rollover distributions to accounts described in Regulations section 1.1471-5(b)(2)(i)(A) (referring to retirement and pension accounts), to retirement and pension accounts described in an applicable Model 1 or Model 2 IGA, or to other retirement funds described in this part or in an applicable Model 1 or Model 2 IGA); **or**
  - **(iv)** Limits contributions by employees to the fund by reference to earned income of the employee or may not exceed $50,000 annually.

c ☐ I certify that the entity identified in Part I:

- Is organized for the provision of retirement, disability, or death benefits (or any combination thereof) to beneficiaries that are former employees of one or more employers in consideration for services rendered;
- Has fewer than 50 participants;
- Is sponsored by one or more employers each of which is not an investment entity or passive NFFE;
- Employee and employer contributions to the fund (disregarding transfers of assets from other plans described in this part, retirement and pension accounts described in an applicable Model 1 or Model 2 IGA, or accounts described in Regulations section 1.1471-5(b)(2)(i)(A)) are limited by reference to earned income and compensation of the employee, respectively;
- Participants that are not residents of the country in which the fund is established or operated are not entitled to more than 20% of the fund's assets; **and**
- Is subject to government regulation and provides annual information reporting about its beneficiaries to the relevant tax authorities in the country in which the fund is established or operates.

d ☐ I certify that the entity identified in Part I is formed pursuant to a pension plan that would meet the requirements of section 401(a), other than the requirement that the plan be funded by a trust created or organized in the United States.

e ☐ I certify that the entity identified in Part I is established exclusively to earn income for the benefit of one or more retirement funds described in this part or in an applicable Model 1 or Model 2 IGA, or accounts described in Regulations section 1.1471-5(b)(2)(i)(A) (referring to retirement and pension accounts), or retirement and pension accounts described in an applicable Model 1 or Model 2 IGA.

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Part XV Exempt Retirement Plans *continued*

f ☐ I certify that the entity identified in Part I:

- Is established and sponsored by a foreign government, international organization, central bank of issue, or government of a U.S. possession (each as defined in Regulations section 1.1471-6) or an exempt beneficial owner described in an applicable Model 1 or Model 2 IGA to provide retirement, disability, or death benefits to beneficiaries or participants that are current or former employees of the sponsor (or persons designated by such employees); **or**
- Is established and sponsored by a foreign government, international organization, central bank of issue, or government of a U.S. possession (each as defined in Regulations section 1.1471-6) or an exempt beneficial owner described in an applicable Model 1 or Model 2 IGA to provide retirement, disability, or death benefits to beneficiaries or participants that are not current or former employees of such sponsor, but are in consideration of personal services performed for the sponsor.

Part XVI Entity Wholly Owned by Exempt Beneficial Owners

30 ☐ I certify that the entity identified in Part I:

- Is an FFI solely because it is an investment entity;
- Each direct holder of an equity interest in the investment entity is an exempt beneficial owner described in Regulations section 1.1471-6 or in an applicable Model 1 or Model 2 IGA;
- Each direct holder of a debt interest in the investment entity is either a depository institution (with respect to a loan made to such entity) or an exempt beneficial owner described in Regulations section 1.1471-6 or an applicable Model 1 or Model 2 IGA.
- Has provided an owner reporting statement that contains the name, address, TIN (if any), chapter 4 status, and a description of the type of documentation provided to the withholding agent for every person that owns a debt interest constituting a financial account or direct equity interest in the entity; **and**
- Has provided documentation establishing that every owner of the entity is an entity described in Regulations section 1.1471-6(b), (c), (d), (e), (f) and/or (g) without regard to whether such owners are beneficial owners.

Part XVII Territory Financial Institution

31 ☐ I certify that the entity identified in Part I is a financial institution (other than an investment entity) that is incorporated or organized under the laws of a possession of the United States.

Part XVIII Excepted Nonfinancial Group Entity

32 ☐ I certify that the entity identified in Part I:

- Is a holding company, treasury center, or captive finance company and substantially all of the entity's activities are functions described in Regulations section 1.1471-5(e)(5)(i)(C) through (E);
- Is a member of a nonfinancial group described in Regulations section 1.1471-5(e)(5)(i)(B);
- Is not a depository or custodial institution (other than for members of the entity's expanded affiliated group); **and**
- Does not function (or hold itself out) as an investment fund, such as a private equity fund, venture capital fund, leveraged buyout fund, or any investment vehicle with an investment strategy to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes.

Part XIX Excepted Nonfinancial Start-Up Company

33 ☐ I certify that the entity identified in Part I:

- Was formed on (or, in the case of a new line of business, the date of board resolution approving the new line of business) _____ (date must be less than 24 months prior to date of payment);
  (mm/dd/yyyy)
- Is not yet operating a business and has no prior operating history or is investing capital in assets with the intent to operate a new line of business other than that of a financial institution or passive NFFE;
- Is investing capital into assets with the intent to operate a business other than that of a financial institution; **and**
- Does not function (or hold itself out) as an investment fund, such as a private equity fund, venture capital fund, leveraged buyout fund, or any investment vehicle whose purpose is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes.

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Part XX Excepted Nonfinancial Entity in Liquidation or Bankruptcy

34 ☐ I certify that the entity identified in Part I:

- Filed a plan of liquidation, filed a plan of reorganization, or filed for bankruptcy on _____ (mm/dd/yyyy);
- During the past 5 years has not been engaged in business as a financial institution or acted as a passive NFFE;
- Is either liquidating or emerging from a reorganization or bankruptcy with the intent to continue or recommence operations as a nonfinancial entity; **and**
- Has, or will provide, documentary evidence such as a bankruptcy filing or other public documentation that supports its claim if it remains in bankruptcy or liquidation for more than 3 years.

Part XXI 501(c) Organization

35 ☐ I certify that the entity identified in Part I is a 501(c) organization that:

- Has been issued a determination letter from the IRS that is currently in effect concluding that the payee is a section 501(c) organization that is dated _____ (mm/dd/yyyy); **or**
- Has provided a copy of an opinion from U.S. counsel certifying that the payee is a section 501(c) organization (without regard to whether the payee is a foreign private foundation).

Part XXII Nonprofit Organization

36 ☐ I certify that the entity identified in Part I is a nonprofit organization that meets the following requirements.

- The entity is established and maintained in its country of residence exclusively for religious, charitable, scientific, artistic, cultural or educational purposes;
- The entity is exempt from income tax in its country of residence;
- The entity has no shareholders or members who have a proprietary or beneficial interest in its income or assets;
- Neither the applicable laws of the entity's country of residence nor the entity's formation documents permit any income or assets of the entity to be distributed to, or applied for the benefit of, a private person or noncharitable entity other than pursuant to the conduct of the entity's charitable activities or as payment of reasonable compensation for services rendered or payment representing the fair market value of property which the entity has purchased; **and**
- The applicable laws of the entity's country of residence or the entity's formation documents require that, upon the entity's liquidation or dissolution, all of its assets be distributed to an entity that is a foreign government, an integral part of a foreign government, a controlled entity of a foreign government, or another organization that is described in this part or escheats to the government of the entity's country of residence or any political subdivision thereof.

Part XXIII Publicly Traded NFFE or NFFE Affiliate of a Publicly Traded Corporation

Check box 37a or 37b, whichever applies.

37a ☐ I certify that:

- The entity identified in Part I is a foreign corporation that is not a financial institution; **and**
- The stock of such corporation is regularly traded on one or more established securities markets, including _____ (name one securities exchange upon which the stock is regularly traded).

b ☐ I certify that:

- The entity identified in Part I is a foreign corporation that is not a financial institution;
- The entity identified in Part I is a member of the same expanded affiliated group as an entity the stock of which is regularly traded on an established securities market;
- The name of the entity, the stock of which is regularly traded on an established securities market, is _____; **and**
- The name of the securities market on which the stock is regularly traded is _____.

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Part XXIV Excepted Territory NFFE

38 ☐ I certify that

- The entity identified in Part I is an entity that is organized in a possession of the United States;
- The entity identified in Part I:
  - **(i)** Does not accept deposits in the ordinary course of a banking or similar business;
  - **(ii)** Does not hold, as a substantial portion of its business, financial assets for the account of others; **or**
  - **(iii)** Is not an insurance company (or the holding company of an insurance company) that issues or is obligated to make payments with respect to a financial account; **and**
- All of the owners of the entity identified in Part I are bona fide residents of the possession in which the NFFE is organized or incorporated.

Part XXV Active NFFE

39 ☐ I certify that

- The entity identified in Part I is a foreign entity that is not a financial institution;
- Less than 50% of such entity's gross income for the preceding calendar year is passive income; **and**
- Less than 50% of the assets held by such entity are assets that produce or are held for the production of passive income (calculated as a weighted average of the percentage of passive assets measured quarterly) (see instructions for the definition of passive income).

Part XXVI Passive NFFE

40a ☐ I certify that the entity identified in Part I is a foreign entity that is not a financial institution (other than an investment entity organized in a possession of the United States) and is not certifying its status as a publicly traded NFFE (or affiliate), excepted territory NFFE, active NFFE, direct reporting NFFE, or sponsored direct reporting NFFE.

Check box 40b or 40c, whichever applies.

b ☐ I further certify that the entity identified in Part I has no substantial U.S. owners (or, if applicable, no controlling U.S. persons); **or**

c ☐ I further certify that the entity identified in Part I has provided the name, address, and TIN of each substantial U.S. owner (or, if applicable, controlling U.S. person) of the NFFE in Part XXIX.

Part XXVII Excepted Inter-Affiliate FFI

41 ☐ I certify that the entity identified in Part I:

- Is a member of an expanded affiliated group;
- Does not maintain financial accounts (other than accounts maintained for members of its expanded affiliated group);
- Does not make withholdable payments to any person other than to members of its expanded affiliated group;
- Does not hold an account (other than depository accounts in the country in which the entity is operating to pay for expenses) with or receive payments from any withholding agent other than a member of its expanded affiliated group; **and**
- Has not agreed to report under Regulations section 1.1471-4(d)(2)(ii)(C) or otherwise act as an agent for chapter 4 purposes on behalf of any financial institution, including a member of its expanded affiliated group.

Part XXVIII Sponsored Direct Reporting NFFE (see instructions for when this is permitted)

42 Name of sponsoring entity: _____

43 ☐ I certify that the entity identified in Part I is a direct reporting NFFE that is sponsored by the entity identified on line 42.

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Part XXIX Substantial U.S. Owners of Passive NFFE

As required by Part XXVI, provide the name, address, and TIN of each substantial U.S. owner of the NFFE. Please see the instructions for a definition of substantial U.S. owner. If providing the form to an FFI treated as a reporting Model 1 FFI or reporting Model 2 FFI, an NFFE may also use this part for reporting its controlling U.S. persons under an applicable IGA.

Name	Address	TIN

Part XXX Certification

Under penalties of perjury, I declare that I have examined the information on this form and to the best of my knowledge and belief it is true, correct, and complete. I further certify under penalties of perjury that:

- The entity identified on line 1 of this form is the beneficial owner of all the income or proceeds to which this form relates, is using this form to certify its status for chapter 4 purposes, or is submitting this form for purposes of section 6050W or 6050Y;
- The entity identified on line 1 of this form is not a U.S. person;
- This form relates to: (a) income not effectively connected with the conduct of a trade or business in the United States, (b) income effectively connected with the conduct of a trade or business in the United States but is not subject to tax under an income tax treaty, (c) the partner's share of a partnership's effectively connected taxable income, or (d) the partner's amount realized from the transfer of a partnership interest subject to withholding under section 1446(f); **and**
- For broker transactions or barter exchanges, the beneficial owner is an exempt foreign person as defined in the instructions.

Furthermore, I authorize this form to be provided to any withholding agent that has control, receipt, or custody of the income of which the entity on line 1 is the beneficial owner or any withholding agent that can disburse or make payments of the income of which the entity on line 1 is the beneficial owner.

I agree that I will submit a new form within 30 days if any certification on this form becomes incorrect.

☐ **I certify that I have the capacity to sign for the entity identified on line 1 of this form.**

SIGN HERE X

Please sign and date using blue or black ink.

Signature of individual authorized to sign for beneficial owner

Date *(MM/DD/YYYY)*

Print Name

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AFFIDAVIT APPLICABLE TO PRIOR PERIODS. Under penalties of perjury, I declare that I have examined and signed the above Form W-8BEN-E and that the information contained therein remained the same and unchanged and was true and correct and complete since January 1, of this year, or the date my account was opened (whichever is later), to present. (Please attach a separate, signed statement if any information has changed.)

SIGN HERE X

Please sign and date using blue or black ink.

Signature of individual authorized to sign for beneficial owner

Date *(MM/DD/YYYY)*

Print Name

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Instructions for Form W-8BEN-E

(Rev. October 2021)

Certificate of Status of Beneficial Owner for United States Tax Withholding and Reporting (Entities)

Department of the Treasury
Internal Revenue Service

Section references are to the Internal Revenue Code unless otherwise noted.

Future Developments

For the latest information about developments related to Form W-8BEN-E and its instructions, such as legislation enacted after they were published, go to *IRS.gov/FormW8BENE*.

What's New

Guidance under section 1446(f). The Tax Cuts and Jobs Act (TCJA), added section 1446(f), which generally requires that if the gain on any disposition of an interest in a partnership would be treated under section 864(c)(8) as effectively connected gain, the transferee purchasing an interest in such a partnership from a non-U.S. transferor must withhold a tax equal to 10% of the amount realized on the disposition unless an exception to withholding applies. T.D. 9926, published on November 30, 2020 (84 FR 76910), contains final regulations ("the section 1446(f) regulations") relating to the withholding and reporting required under section 1446(f), including for transfers of interests in publicly traded partnerships ("PTPs"). Withholding on transfers of interests in PTPs and the revisions included in the section 1446(f) regulations relating to withholding on PTP distributions under section 1446(a) apply to transfers and distributions that occur on or after January 1, 2023. See *Notice 2021-51*, 2021-36 I.R.B. 361, for more information. The provisions in the section 1446(f) regulations relating to withholding and reporting on transfers of interests in partnerships that are not PTPs generally apply to transfers occurring after January 29, 2021. These instructions have been updated to incorporate the use of this form by certain entities that are transferors of an interest in a partnership subject to withholding on the amount realized from the transfer. See *Pub. 515* for an additional discussion of section 1446(f) withholding, including the effective dates of each provision.

Line 4. Line 4, "Type of entity," has been updated. The general classification for foreign government has been removed and replaced with the two possible classifications for a foreign government: (i) an integral part of a foreign government; or (ii) an entity that is controlled by a foreign government. See Temporary Regulations section 1.892-2T. See the instructions for *Line 4*, later.

New Line 9c. New line 9c, "FTIN not legally required," has been added for account holders otherwise required to provide a foreign tax identification number (FTIN) on line 9b, to indicate that they are not legally required to obtain an FTIN from their jurisdiction of residence. See the instructions for *Line 9c*.

Section 6050Y reporting. These instructions have been updated to reference the use of this form by an entity (other than a partnership, simple trust, or grantor trust) that is a foreign seller of a life insurance contract or that is a foreign person and a recipient of a reportable death benefit for purposes of reporting under section 6050Y.

Line 14, claim of tax treaty benefits. The instructions for this line have been updated to include a representation required by entities that are resident in a foreign country that has entered into an income tax treaty with the United States that does not contain a limitation on benefits (LOB) article.

Line 15, special rates and conditions. The instructions for this line have been updated to include representations required by entities claiming treaty benefits on business profits or gains not attributable to a permanent establishment, including for a foreign partner that derives gain subject to tax under section 864(c)(8) upon the transfer of an interest in a partnership and that would be subjected to withholding under section 1446(f) on the transfer.

Electronic signature. These instructions have been updated to include additional guidance included in the final regulations issued under chapter 3 (T.D. 9890) concerning the use of electronic signatures on withholding certificates. See *Certification* in *Part XXX*, later, and Regulations section 1.1441-1(e)(4)(i)(B).

Reminder

Note. If you are a resident in a FATCA partner jurisdiction (that is, a Model 1 IGA jurisdiction with reciprocity), certain tax account information may be provided to your jurisdiction of residence.

General Instructions

For definitions of terms used throughout these instructions, see *Definitions*, later.

Purpose of Form

This form is used by foreign entities to document their statuses for purposes of chapter 3 and chapter 4, as well as for certain other Code provisions as described later in these instructions.

Foreign persons are subject to U.S. tax at a 30% rate on income they receive from U.S. sources that consists of:

- Interest (including certain original issue discount (OID));

- Dividends;
- Rents;
- Royalties;
- Premiums;
- Annuities;
- Compensation for, or in expectation of, services performed;
- Substitute payments in a securities lending transaction; or
- Other fixed or determinable annual or periodical gains, profits, or income.

This tax is imposed on the gross amount paid and is generally collected by withholding under section 1441 or 1442 on that amount. A payment is considered to have been made whether it is made directly to the beneficial owner or to another person, such as an intermediary, agent, or partnership, for the benefit of the beneficial owner.

Section 1446(a) requires a partnership conducting a trade or business in the United States to withhold tax on a foreign partner's allocable share of the partnership's effectively connected taxable income. In addition, section 1446(f) generally requires a transferee of a partnership interest (or a broker in the case of a transfer of a PTP interest) to withhold on the amount realized from the transfer when any portion of the gain from the transfer is treated as effectively connected gain under section 864(c)(8). Generally, a foreign person that is a partner in a partnership that submits a Form W-8BEN-E for purposes of section 1441 or 1442 will satisfy the documentation requirements under section 1446(a) or (f) as well. However, in some cases the documentation requirements of sections 1441 and 1442 do not match the documentation requirements of section 1446(a) or (f). See Regulations sections 1.1446-1 through 1.1446-6 (for documentation requirements under section 1446(a)) and Regulations sections 1.1446(f)-2 and 1.1446(f)-4 (for documentation requirements under section 1446(f)).

A withholding agent or payer of the income may rely on a properly completed Form W-8BEN-E to treat a payment associated with the Form W-8BEN-E as a payment to a foreign person who beneficially owns the amounts paid. If applicable, the withholding agent may rely on the Form W-8BEN-E to apply a reduced rate of, or exemption from, withholding. If you receive certain types of income, you must provide Form W-8BEN-E to:
- Claim that you are the beneficial owner of the income for which Form W-8BEN-E is being provided or a partner in a partnership subject to section 1446; and
- If applicable, claim a reduced rate of, or exemption from, withholding as a resident of a foreign country with which the United States has an income tax treaty.

You may also use Form W-8BEN-E to identify income from a notional principal contract that is not effectively connected with the conduct of a trade or business in the United States to establish the exception to reporting such income on Form 1042-S. See Regulations section 1.1461-1(c)(2)(ii)(F).

Form W-8BEN-E may also be used to claim an exemption from withholding for portfolio interest pursuant to section 881(c). The portfolio interest exemption does not apply to payments of interest for which the recipient is a 10 percent shareholder of the payer or to payments of interest received by a controlled foreign corporation from a related person. See sections 881(c)(3) and 881(c)(5). A future version of this form may require that persons receiving interest payments to which this form relates identify any obligation with respect to which they have one of these prohibited relationships.

You may also be required to submit Form W-8BEN-E to claim an exception from domestic information reporting on Form 1099 and backup withholding (at the backup withholding rate under section 3406) for certain types of income. Such income includes:
- Broker proceeds.
- Short-term (183 days or less) original issue discount (short-term OID).
- Bank deposit interest.
- Foreign source interest, dividends, rents, or royalties.

Provide Form W-8BEN-E to the withholding agent or payer before income is paid or credited to you. Failure to provide a Form W-8BEN-E when requested may lead to withholding at a 30% rate or the backup withholding rate in certain cases when you receive a payment to which backup withholding applies.

In addition to the requirements of chapter 3, chapter 4 requires withholding agents to identify the chapter 4 status of entities that are payees receiving withholdable payments. A withholding agent may request this Form W-8BEN-E to establish your chapter 4 status and avoid withholding at a 30% rate on such payments.

Chapter 4 also requires participating FFIs and certain registered deemed-compliant FFIs to document their entity account holders in order to determine their chapter 4 statuses regardless of whether withholding applies to any payments made to the entities. If you are an entity maintaining an account with an FFI, the FFI may request that you provide this Form W-8BEN-E in order to document your chapter 4 status.

Additional information. For additional information and instructions for the withholding agent, see the Instructions for the Requester of Forms W-8BEN, W-8BEN-E, W-8ECI, W-8EXP, and W-8IMY.

Who Must Provide Form W-8BEN-E

You must give Form W-8BEN-E to the withholding agent or payer if you are a foreign entity receiving a withholdable payment from a withholding agent, receiving a payment subject to chapter 3 withholding, or if you are an entity maintaining an account with an FFI requesting this form.
- You must provide Form W-8EN-E to the 6050Y(b) issuer (as defined under Regulations section 1.6050Y-1(a)(8)(iii)), to establish your foreign status if you are a foreign entity (other than a partnership, simple trust or grantor trust) that is the seller of a life insurance contract under section 6050Y(b) (excluding a payment of effectively connected income). See Regulations section 1.6050Y-3.
- You must also provide Form W-8BEN-E to the payor (as defined under Regulations section 1.6050Y-1(a)(11)), to establish your foreign status if you are an entity receiving a payment of reportable death benefits for

purposes of section 6050Y(b) (other than a foreign partnership or a grantor or simple trust receiving a payment of reportable death benefits or a payment of effectively connected income that is subject to chapter 3 withholding). See Regulations section 1.6050Y-4.

Do not use Form W-8BEN-E. Do not use Form W-8BEN-E if:

- You are a U.S. person (including U.S. citizens, resident aliens, and entities treated as U.S. persons, such as a corporation organized under the law of a state). Instead, use Form W-9, Request for Taxpayer Identification Number and Certification.
- You are a foreign insurance company that has made an election under section 953(d) to be treated as a U.S. person. Instead, provide a withholding agent with Form W-9 to certify to your U.S. status even if you are considered an FFI for purposes of chapter 4.
- You are a nonresident alien individual. Instead, use Form W-8BEN, Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding and Reporting (Individuals), or Form 8233, Exemption From Withholding on Compensation for Independent (and Certain Dependent) Personal Services of a Nonresident Alien Individual, as applicable.
- You are a disregarded entity, branch, or flow-through entity for U.S. tax purposes. However, you may use this form if you are a disregarded entity or flow-through entity using this form either solely to document your chapter 4 status (because you hold an account with an FFI) or, if you are a disregarded entity or a partnership, to claim treaty benefits because you are a hybrid entity liable to tax as a resident for treaty purposes. See *Hybrid Entity Making a Claim of Treaty Benefits* under *Special Instructions*, later. A flow-through entity may also use this form for purposes of documenting itself as a participating payee for purposes of section 6050W. If you are a disregarded entity with a single owner or branch of an FFI, the single owner, if such owner is a foreign person, should provide Form W-8BEN or Form W-8BEN-E (as appropriate). If the single owner is a U.S. person, a Form W-9 should be provided. If you are a partnership, you should provide a Form W-8IMY, Certificate of Foreign Intermediary, Foreign Flow-Through Entity, or Certain U.S. Branches for United States Tax Withholding and Reporting.
- You are acting as an intermediary (that is, acting not for your own account, but for the account of others as an agent, nominee, or custodian), a qualified intermediary (including a qualified intermediary acting as a qualified derivatives dealer), or a qualified securities lender (QSL). Instead, provide Form W-8IMY.
- You are receiving income that is effectively connected with the conduct of a trade or business in the United States, unless it is allocable to you through a partnership. Instead, provide Form W-8ECI, Certificate of Foreign Person's Claim That Income Is Effectively Connected With the Conduct of a Trade or Business in the United States. If any of the income for which you have provided a Form W-8BEN-E becomes effectively connected, this is a change in circumstances and the Form W-8BEN-E is no longer valid.
- You are filing for a foreign government, international organization, foreign central bank of issue, foreign tax-exempt organization, foreign private foundation, or government of a U.S. possession claiming the applicability of section 115(2), 501(c), 892, 895, or 1443(b). Instead, provide Form W-8EXP, Certificate of Foreign Government or Other Foreign Organization for United States Tax Withholding and Reporting, to certify to your exemption and identify your chapter 4 status. However, you should provide Form W-8BEN-E if you are claiming treaty benefits, and you may provide this form if you are only claiming you are a foreign person exempt from backup withholding or documenting your chapter 4 status. For example, a foreign tax-exempt organization under section 501(c) receiving royalty income that is not exempt because it is taxable as unrelated business income but that is eligible for a reduced rate of withholding under a royalty article of a tax treaty should provide Form W-8BEN-E. You should use Form W-8ECI if you are receiving effectively connected income (for example, income from commercial activities that is not exempt under an applicable section of the Code).
- You are a foreign reverse hybrid entity transmitting documentation provided by your interest holders to claim treaty benefits on their behalf. Instead, provide Form W-8IMY. A foreign reverse hybrid entity also may not use this form to attempt to claim treaty benefits on its own behalf. See *Foreign Reverse Hybrid Entities*, later.
- You are a withholding foreign partnership or a withholding foreign trust within the meaning of sections 1441 through 1443 and the accompanying regulations. Instead, provide Form W-8IMY.
- You are a foreign partnership or foreign grantor trust providing documentation for purposes of section 1446(a). Instead, provide Form W-8IMY and accompanying documentation.
- You are a foreign partnership or foreign grantor trust that is the transferor of a partnership interest for purposes of section 1446(f). Instead, provide Form W-8IMY.
- You are a foreign branch of a U.S. financial institution that is an FFI (other than a qualified intermediary branch) under an applicable Model 1 IGA. For purposes of identifying yourself to withholding agents, you may submit Form W-9 to certify to your U.S. status.

Giving Form W-8BEN-E to the withholding agent. Do not send Form W-8BEN-E to the IRS. Instead, give it to the person who is requesting it from you. Generally, this will be the person from whom you receive the payment, who credits your account, or a partnership that allocates income to you. An FFI may also request this form from you to document the status of your account.

When to provide Form W-8BEN-E to the withholding agent. Give Form W-8BEN-E to the person requesting it before the payment is made to you, credited to your account, or allocated. If you do not provide this form, the withholding agent may have to withhold at the 30% rate (as applicable under chapters 3 or 4), backup withholding rate, or the rate applicable under section 1446. If you receive more than one type of income from a single withholding agent for which you claim different benefits, the withholding agent may, at its option, require you to submit a Form W-8BEN-E for each type of income. Generally, a separate Form W-8BEN-E must be given to each withholding agent.

Note. If you own the income with one or more other persons, the income will be treated by the withholding agent as owned by a foreign person that is a beneficial owner of a payment only if Form W-8BEN or W-8BEN-E (or other applicable document) is provided by each of the owners. An account will be treated as a U.S. account for chapter 4 purposes by an FFI requesting this form if any of the account holders is a specified U.S. person or a U.S.-owned foreign entity (unless the account is otherwise excepted from U.S. account status for chapter 4 purposes).

Change in circumstances. If a change in circumstances makes any information on the Form W-8BEN-E you have submitted incorrect for purposes of either chapter 3 or chapter 4, you must notify the withholding agent or financial institution maintaining your account within 30 days of the change in circumstances by providing the documentation required in Regulations section 1.1471-3(c)(6)(ii)(E)(2). See Regulations sections 1.1441-1(e)(4)(ii)(D) for the definition of change in circumstances for purposes of chapter 3, and 1.1471-3(c)(6)(ii)(E) for purposes of chapter 4.

CAUTION *With respect to an FFI claiming a chapter 4 status under an applicable IGA, a change in circumstances includes when the jurisdiction where the FFI is organized or resident (or the jurisdiction identified in Part II of the form) was included on the list of jurisdictions treated as having an intergovernmental agreement in effect and is removed from that list or when the FATCA status of the jurisdiction changes (for example, from Model 2 to Model 1). The list of agreements is maintained at www.treasury.gov/resource-center/tax-policy/treaties/Pages/FATCA-Archive.aspx.*

Expiration of Form W-8BEN-E. Generally, a Form W-8BEN-E will remain valid for purposes of both chapters 3 and 4 for a period starting on the date the form is signed and ending on the last day of the third succeeding calendar year, unless a change in circumstances makes any information on the form incorrect. For example, a Form W-8BEN signed on September 30, 2014, remains valid through December 31, 2017.

However, under certain conditions a Form W-8BEN-E will remain in effect indefinitely absent a change of circumstances. See Regulations sections 1.1441-1(e)(4)(ii) and 1.1471-3(c)(6)(ii) for the period of validity for chapters 3 and 4 purposes, respectively.

Definitions

Account holder. An account holder is generally the person listed or identified as the holder or owner of a financial account. For example, if a partnership is listed as the holder or owner of a financial account, then the partnership is the account holder, rather than the partners of the partnership. However, an account that is held by a disregarded entity (other than a disregarded entity treated as an FFI for chapter 4 purposes) is treated as held by the entity's single owner.

Amount realized. For purposes of section 1446(f), an amount realized on the transfer of an interest in a partnership other than a PTP is as determined under section 1001 (including Regulations sections 1.1001-1 through 1.1001-5) and section 752 (including Regulations sections 1.752-1 through 1.752-7). See Regulations section 1.1446(f)-2(c)(2). An amount realized on the transfer of a PTP interest is the amount of gross proceeds (as defined in Regulations section 1.6045-1(d)(5)) paid or credited to a partner or broker (as applicable) that is a transferor of the interest. The amount realized on a PTP distribution is the amount of the distribution reduced by the portion of the distribution that is attributable to the cumulative net income of the partnership (as determined under Regulations section 1.1446(f)-4(c)(2)(iii)).

Amounts subject to chapter 3 withholding. Generally, an amount subject to chapter 3 withholding is an amount from sources within the United States that is fixed or determinable annual or periodical (FDAP) income (including such an amount on a PTP distribution unless indicated otherwise). FDAP income is all income included in gross income, including interest (as well as OID), dividends, rents, royalties, and compensation. Amounts subject to chapter 3 withholding do not include amounts that are not FDAP, such as most gains from the sale of property (including market discount and option premiums), as well as other specific items of income described in Regulations section 1.1441-2 (such as interest on bank deposits and short-term OID).

For purposes of section 1446(a), the amount subject to withholding is the foreign partner's share of the partnership's effectively connected taxable income. For purposes of section 1446(f), the amount subject to withholding is the amount realized on the transfer of a partnership interest.

Beneficial owner. For payments other than those for which a reduced rate of, or exemption from, withholding is claimed under an income tax treaty, the beneficial owner of income is generally the person who is required under U.S. tax principles to include the payment in gross income on a tax return. A person is not a beneficial owner of income, however, to the extent that person is receiving the income as a nominee, agent, or custodian, or to the extent the person is a conduit whose participation in a transaction is disregarded. In the case of amounts paid that do not constitute income, beneficial ownership is determined as if the payment were income.

Foreign partnerships, foreign simple trusts, and foreign grantor trusts are not the beneficial owners of income paid to the partnership or trust. The beneficial owners of income paid to a foreign partnership are generally the partners in the partnership, provided that the partner is not itself a partnership, foreign simple or grantor trust, nominee or other agent. The beneficial owners of income paid to a foreign simple trust (that is, a foreign trust that is described in section 651(a)) are generally the beneficiaries of the trust, if the beneficiary is not a foreign partnership, foreign simple or grantor trust, nominee, or other agent. The beneficial owners of income paid to a foreign grantor trust (that is, a foreign trust to the extent that all or a portion of the income of the trust is treated as owned by the grantor or another person under sections 671 through 679) are the persons treated as the owners of the trust. The beneficial owners of income paid to a foreign complex trust (that is, a foreign trust that is not a

foreign simple trust or foreign grantor trust) is the trust itself.

Generally, for purposes of section 1446(a) or (f), the same beneficial owner rules apply, except that under section 1446(a) or (f) a foreign simple trust is required to provide a Form W-8BEN-E on its own behalf, rather than on behalf of the beneficiary of such trust.

The beneficial owner of income paid to a foreign estate is the estate itself.

A payment to a U.S. partnership, U.S. trust, or U.S. estate is treated as a payment to a U.S. payee. A U.S. partnership, trust, or estate should provide the withholding agent with a Form W-9 pertaining to itself. However, for purposes of section 1446(a), a U.S. grantor trust or disregarded entity shall not provide the withholding agent a Form W-9. Instead, the entity must provide an applicable Form W-8 or Form W-9 pertaining to each grantor or owner, as appropriate, and, in the case of a trust, a statement identifying the portion of the trust treated as owned by each such person. For purposes of section 1446(f), the grantor or owner must provide an applicable Form W-8 or Form W-9 to certify its status and the amount realized allocable to the grantor or owner, which, alternatively, can be provided by the U.S. grantor trust on behalf of a grantor or owner.

Chapter 3. Chapter 3 means chapter 3 of the Internal Revenue Code (Withholding of Tax on Nonresident Aliens and Foreign Corporations). Chapter 3 contains sections 1441 through 1464, excluding sections 1445 and 1446.

Chapter 4. Chapter 4 means chapter 4 of the Internal Revenue Code (Taxes to Enforce Reporting on Certain Foreign Accounts). Chapter 4 contains sections 1471 through 1474.

Chapter 4 status. The term chapter 4 status means a person's status as a U.S. person, specified U.S. person, foreign individual, participating FFI, deemed-compliant FFI, restricted distributor, exempt beneficial owner, nonparticipating FFI, territory financial institution, excepted NFFE, or passive NFFE.

Deemed-compliant FFI. Under section 1471(b)(2), certain FFIs are deemed to comply with the regulations under chapter 4 without the need to enter into an FFI agreement with the IRS. However, certain deemed-compliant FFIs are required to register with the IRS and obtain a GIIN. These FFIs are referred to as **registered deemed-compliant FFIs**. See Regulations section 1.1471-5(f)(1).

Disregarded entity. A business entity that has a single owner and is not a corporation under Regulations section 301.7701-2(b) is disregarded as an entity separate from its owner. Generally, a disregarded entity does not submit this Form W-8BEN-E to a withholding agent. Instead, the owner of such entity provides the appropriate documentation (for example, a Form W-8BEN-E if the owner is a foreign entity). However, if a disregarded entity receiving a withholdable payment is an FFI outside the single owner's country of organization or has its own GIIN, its foreign owner will be required to complete Part II of Form W-8BEN-E to document the chapter 4 status of the disregarded entity receiving the payment.

Certain entities that are disregarded for U.S. tax purposes may be treated as treaty residents for purposes of claiming treaty benefits under an applicable tax treaty or may be recognized as FFIs under an applicable IGA. A hybrid entity claiming treaty benefits on its own behalf is required to complete Form W-8BEN-E. See *Hybrid Entity Making a Claim of Treaty Benefits* under *Special Instructions*, later.

A disregarded entity with a U.S. owner or a disregarded entity with a foreign owner that is not otherwise able to fill out Part II (that is, because it is in the same country as its single owner and does not have a GIIN) may provide this form to an FFI solely for purposes of documenting itself for chapter 4 purposes. In such a case, the disregarded entity should complete Part I as if it were a beneficial owner and should not complete line 3.

Financial account. A financial account includes:

- A depository account maintained by an FFI;
- A custodial account maintained by an FFI;
- Equity or debt interests (other than interests regularly traded on an established securities market) in investment entities and certain holding companies, treasury centers, or financial institutions as defined in Regulations section 1.1471-5(e);
- Certain cash value insurance contracts; and
- Annuity contracts.

For purposes of chapter 4, exceptions are provided for accounts such as certain tax-favored savings accounts, term life insurance contracts, accounts held by estates, escrow accounts, and certain annuity contracts. These exceptions are subject to certain conditions. See Regulations section 1.1471-5(b)(2). Accounts may also be excluded from the definition of financial account under an applicable IGA.

Financial institution. A financial institution generally means an entity that is a depository institution, custodial institution, investment entity, or an insurance company (or holding company of an insurance company) that issues cash value insurance or annuity contracts. See Regulations section 1.1471-5(e).

An investment entity organized in a territory that is not also a depository institution, custodial institution, or specified insurance company is not treated as a financial institution. Instead, it is a territory NFFE. If such an entity cannot qualify as an excepted NFFE as described in Regulations section 1.1472-1(c)(1) (including an excepted territory NFFE), it must disclose its substantial U.S. owners using this definition (applying the 10 percent threshold) under Regulations section 1.1473-1(b)(1).

Foreign financial institution (FFI). A foreign financial institution (FFI) means a foreign entity that is a financial institution.

Fiscally transparent entity. An entity is treated as fiscally transparent with respect to an item of income for which treaty benefits are claimed to the extent that the interest holders in the entity must, on a current basis, take into account separately their shares of an item of income paid to the entity, whether or not distributed, and must determine the character of the items of income as if they were realized directly from the sources from which realized by the entity. For example, partnerships, common

trust funds, and simple trusts or grantor trusts are generally considered to be fiscally transparent with respect to items of income received by them.

Flow-through entity. A flow-through entity is a foreign partnership (other than a withholding foreign partnership), a foreign simple or foreign grantor trust (other than a withholding foreign trust), or, for payments for which a reduced rate of, or exemption from, withholding is claimed under an income tax treaty, any entity to the extent the entity is considered to be fiscally transparent with respect to the payment by an interest holder's jurisdiction.

Foreign person. A foreign person includes a foreign corporation, a foreign partnership, a foreign trust, a foreign estate, and any other person that is not a U.S. person. It also includes a foreign branch or office of a U.S. financial institution or U.S. clearing organization if the foreign branch is a qualified intermediary. Generally, a payment to a U.S. branch of a foreign person is a payment to a foreign person.

GIIN. The term GIIN means a global intermediary identification number. A GIIN is the identification number assigned to an entity that has registered with the IRS for chapter 4 purposes.

Hybrid entity. A hybrid entity is any person (other than an individual) that is treated as fiscally transparent for purposes of its status under the Code but is not treated as fiscally transparent by a country with which the United States has an income tax treaty. Hybrid entity status is relevant for claiming treaty benefits. A hybrid entity is required to provide its chapter 4 status if it is receiving a withholdable payment.

Intergovernmental agreement (IGA). An intergovernmental agreement (IGA) means a Model 1 IGA or a Model 2 IGA. For a list of jurisdictions treated as having in effect a Model 1 or Model 2 IGA, see *www.treasury.gov/resource-center/tax-policy/treaties/Pages/FATCA-Archive.aspx*.

A ***Model 1 IGA*** means an agreement between the United States or the Treasury Department and a foreign government or one or more agencies to implement FATCA through reporting by FFIs to such foreign government or agency, followed by automatic exchange of the reported information with the IRS. An FFI in a Model 1 IGA jurisdiction that performs account reporting to the jurisdiction's government is referred to as a ***reporting Model 1 FFI***.

A ***Model 2 IGA*** means an agreement or arrangement between the United States or the Treasury Department and a foreign government or one or more agencies to implement FATCA through reporting by FFIs directly to the IRS in accordance with the requirements of an FFI agreement, supplemented by the exchange of information between such foreign government or agency and the IRS. An FFI in a Model 2 IGA jurisdiction that has entered into an FFI agreement with respect to a branch is a participating FFI but may be referred to as a ***reporting Model 2 FFI***.

The term **reporting IGA FFI** refers to both reporting Model 1 FFIs and reporting Model 2 FFIs.

Nonparticipating FFI. A nonparticipating FFI means an FFI that is not a participating FFI, deemed-compliant FFI, or exempt beneficial owner.

Nonreporting IGA FFI. A nonreporting IGA FFI is an FFI that is a resident of, or located or established in, a Model 1 or Model 2 IGA jurisdiction that meets the requirements of:

- A nonreporting financial institution described in a specific category in Annex II of the Model 1 or Model 2 IGA;
- A registered deemed-compliant FFI described in Regulations section 1.1471-5(f)(1)(i)(A) through (F);
- A certified deemed-compliant FFI described in Regulations section 1.1471-5(f)(2)(i) through (v); or
- An exempt beneficial owner described in Regulations section 1.1471-6.

Participating FFI. A participating FFI is an FFI that has agreed to comply with the terms of an FFI agreement with respect to all branches of the FFI, other than a branch that is a reporting Model 1 FFI or a U.S. branch. The term participating FFI also includes a reporting Model 2 FFI and a QI branch of a U.S. financial institution unless such branch is a reporting Model 1 FFI.

Participating payee. A participating payee means any person that accepts a payment card as payment or accepts payment from a third party settlement organization in settlement of a third party network transaction for purposes of section 6050W.

Payee. A payee is generally a person to whom a payment is made regardless of whether such person is the beneficial owner. For a payment made to a financial account, the payee is generally the holder of the financial account. See Regulations sections 1.1441-1(b)(2) and 1.1471-3(a)(3).

Payment settlement entity (PSE). A payment settlement entity is a merchant acquiring entity or third party settlement organization. Under section 6050W, a PSE is generally required to report payments made in settlement of payment card transactions or third party network transactions. However, a PSE is not required to report payments made to a beneficial owner that is documented as foreign with an applicable Form W-8.

Publicly Traded Partnership (PTP). A PTP is an entity that has the same meaning as in section 7704 and Regulations section 1.7704-4 but does not include a PTP treated as a corporation under that section.

PTP interest. A PTP interest is an interest in a PTP if the interest is publicly traded on an established securities market or is readily tradable on a secondary market (or the substantial equivalent thereof).

Qualified intermediary (QI). A qualified intermediary (QI) is a person that is a party to an agreement with the IRS that is described in Regulations section 1.1441-1(e)(5)(iii). A ***qualified derivatives dealer (QDD)*** is a QI that has agreed to certain reporting and withholding requirements pursuant to Regulations section 1.1441-1(e)(6).

Recalcitrant account holder. A recalcitrant account holder includes an entity (other than an entity required to

be treated as a nonparticipating FFI) that fails to comply with a request by an FFI maintaining the account for documentation and information for determining whether the account is a U.S. account. See Regulations section 1.1471-5(g).

Reverse hybrid entity. A reverse hybrid entity is any person (other than an individual) that is not fiscally transparent under U.S. tax law principles but that is fiscally transparent under the laws of a jurisdiction with which the United States has an income tax treaty. See Form W-8IMY and the accompanying instructions for information on a reverse hybrid entity making a claim of treaty benefits on behalf of its owners.

Specified U.S. person. A specified U.S. person is any U.S. person other than a person identified in Regulations section 1.1473-1(c).

Substantial U.S. owner. A substantial U.S. owner (as defined in Regulations section 1.1473-1(b)) means any specified U.S. person that:

- Owns, directly or indirectly, more than 10 percent (by vote or value) of the stock of any foreign corporation;
- Owns, directly or indirectly, more than 10 percent of the profits or capital interests in a foreign partnership;
- Is treated as an owner of any portion of a foreign trust under sections 671 through 679; or
- Holds, directly or indirectly, more than a 10 percent beneficial interest in a trust.

Transfer. A transfer is a sale, exchange, or other disposition of a partnership interest, and includes a distribution from a partnership to a partner, as well as a transfer treated as a sale or exchange under section 707(a)(2)(B).

Transferee. A transferee is any person, foreign or domestic, that acquires a partnership interest through a transfer and includes a partnership that makes a distribution.

Transferor. A transferor is any person, foreign or domestic, that transfers a partnership interest. In the case of a trust, to the extent all or a portion of the income of the trust is treated as owned by the grantor or another person under sections 671 through 679 (such trust, a grantor trust), the term transferor means the grantor or other person.

U.S. person. A U.S. person is defined in section 7701(a)(30) and includes domestic partnerships, corporations, and trusts.

CAUTION *Certain foreign insurance companies issuing annuities or cash value insurance contracts that elect to be treated as a U.S. person for federal tax purposes but are not licensed to do business in the United States are treated as FFIs for purposes of chapter 4. For purposes of providing a withholding agent with documentation for both chapter 3 and chapter 4 purposes, however, such an insurance company is permitted to use Form W-9 to certify its status as a U.S. person. Likewise, a foreign branch of a U.S. financial institution (other than a branch that operates as a qualified intermediary) that is treated as an FFI under an applicable IGA is permitted to use Form W-9 to certify its status as a U.S. person for chapter 3 and chapter 4 purposes.*

Withholdable payment. A withholdable payment is defined in Regulations section 1.1473-1(a). For exceptions applicable to the definition of a withholdable payment, see Regulations section 1.1473-1(a)(4) (for example, certain nonfinancial payments).

Withholding agent. Any person, U.S. or foreign, that has control, receipt, custody, disposal, or payment of U.S. source FDAP income subject to chapter 3 or 4 withholding is a withholding agent. The withholding agent may be an individual, corporation, partnership, trust, association, or any other entity, including (but not limited to) any foreign intermediary, foreign partnership, and U.S. branches of certain foreign banks and insurance companies.

For purposes of section 1446(a), the withholding agent is the partnership conducting the trade or business in the United States. For a partnership distribution made by a PTP, the withholding agent for purposes of section 1446(a) may be the PTP, a nominee holding an interest on behalf of a foreign person, or both. See Regulations sections 1.1446-1 through 1.1446-6.

Specific Instructions

Part I – Identification of Beneficial Owner

Line 1. Enter your name. If you are a disregarded entity or branch, do not enter your business name. Instead, enter the legal name of your owner (or, if you are a branch, the entity that you form a part of) (looking through multiple disregarded entities if applicable). If you are a disregarded entity that is a hybrid entity filing a treaty claim, however, see *Hybrid Entity Making a Claim of Treaty Benefits* under *Special Instructions*, later.

TIP *If you are an account holder providing this form to an FFI solely for purposes of documenting yourself as an account holder and you are not receiving a withholdable payment or reportable amount (as defined in Regulations section 1.1441-1(e)(3)(vi)), you should complete Part I by substituting the references to "beneficial owner" with "account holder."*

CAUTION *The named holder on the account is not necessarily the account holder for purposes of chapter 4. See* Definitions*, earlier, or, for an account maintained by an FFI covered by a Model 1 or Model 2 IGA with respect to the account, the definition of account holder in an applicable IGA to determine if you are the account holder. If you hold an account with an FFI and are unsure whether the definition of "account holder" under an IGA is applicable to your account, consult with the FFI requesting this form.*

Line 2. If you are a corporation, enter your country of incorporation. If you are another type of entity, enter the country under whose laws you are created, organized, or governed.

Line 3. If you are a disregarded entity receiving a withholdable payment, enter your name on line 3 if you: 1) have registered with the IRS and been assigned a GIIN associated with the legal name of the disregarded entity; 2) are a reporting Model 1 FFI or reporting Model 2 FFI; and 3) are not a hybrid entity using this form to claim treaty benefits.

CAUTION *If you are not required to provide the legal name of the disregarded entity, you may want to notify the withholding agent that you are a disregarded entity receiving a payment or maintaining an account by indicating the name of the disregarded entity on line 10. If you wish to report the name of a disregarded entity holding an account with the withholding agent requesting this form for only information purposes (that is, the disregarded entity is not reported on line 1 or in Part II of this form), you may enter the disregarded entity's name on line 3.*

Line 4. Check the one box that applies. By checking a box, you are representing that you qualify for the classification indicated. You must check the box that represents your classification (for example, corporation, partnership, trust, estate, etc.) under U.S. tax principles (not under the law of a treaty country). To determine whether you are an integral part of a foreign government or an entity that is controlled by a foreign government, see Temporary Regulations section 1.892-2T. If you are providing Form W-8BEN-E to an FFI solely for purposes of documenting yourself for chapter 4 purposes as an account holder of an account maintained by an FFI, you do not need to complete line 4.

If you are a partnership, disregarded entity, simple trust, or grantor trust receiving a payment for which treaty benefits are being claimed by such entity, you must check the "Partnership," "Disregarded entity," "Simple trust," or "Grantor trust" box. For such a case, you must also check the "yes" box to indicate that you are a hybrid entity making a treaty claim. You may only check the "no" box if (1) you are a disregarded entity, partnership, simple trust, or grantor trust and are using the form solely for purposes of documenting yourself as an account holder of an FFI and the form is not associated with a withholdable payment or a reportable amount or (2) you are using this form solely for purposes of documenting your status as a participating payee for purposes of section 6050W. In such cases, you are not required to complete line 4, but you may check the "no" box if you choose to complete line 4. You may also use Form W-8IMY to document yourself as an account holder of an FFI.

CAUTION *Only entities that are tax-exempt under section 501(c) should check the "Tax-exempt organization" box for purposes of line 4. Such organizations should use Form W-8BEN-E only if they are claiming a reduced rate of withholding under an income tax treaty or a Code exception other than section 501(c) or if they are using this form solely for purposes of documenting themselves as an account holder with an FFI. However, if you are a private foundation you should check "Private Foundation" instead of "Tax-exempt organization."*

Line 5. Check the one box that applies to your chapter 4 status. You are only required to provide a chapter 4 status on this form if you are the payee of a withholdable payment or are documenting the status of a financial account you hold with an FFI requesting this form. By checking a box on this line, you are representing that you qualify for this classification in your country of residence.

TIP *For most of the chapter 4 statuses, you are required to complete an additional part of this form certifying that you meet the conditions of the status indicated on line 5. Complete the required portion of this form before signing and providing it to the withholding agent. See* Entities Providing Certifications Under an Applicable IGA *under* Special Instructions*, later.*

FFIs Covered by an IGA and Related Entities

A reporting IGA FFI resident in, or established under the laws of, a jurisdiction covered by a Model 1 IGA should check "Reporting Model 1 FFI." A reporting FFI resident in, or established under the laws of, a jurisdiction covered by a Model 2 IGA should check "Reporting Model 2 FFI." If you are treated as a registered deemed-compliant FFI under an applicable IGA, you should check "Nonreporting IGA FFI" rather than "registered deemed-compliant FFI" and provide your GIIN.

In general, if you are treated as a nonreporting IGA FFI under an applicable IGA, you should check "Nonreporting IGA FFI" even if you meet the qualifications for deemed-compliant status or are an exempt beneficial owner under the chapter 4 regulations. In such a case, you should not also check your applicable status under the regulations but should provide your GIIN on line 9, if applicable. If you are an owner-documented FFI that is treated as a nonreporting IGA FFI under an applicable IGA you must check "Owner-documented FFI" and complete Part X.

An FFI that is related to a reporting IGA FFI and that is treated as a nonparticipating FFI in its country of residence should check "Nonparticipating FFI" on line 5.

If you are an FFI in a jurisdiction treated as having an IGA in effect, you should not check "Participating FFI" but rather should check "Reporting Model 1 FFI" or "Reporting Model 2 FFI" as applicable. See *www.treasury.gov/resource-center/tax-policy/treaties/Pages/FATCA-Archive.aspx* for a list of jurisdictions treated as having an IGA in effect.

Non-Profit Organizations Covered by an IGA

If you are a non-profit entity that is established and maintained in a jurisdiction treated as having an IGA in effect and you meet the definition of "active NFFE"under Annex I of the applicable IGA, you should not check a box on line 5 if you are providing this form to an FFI for purposes of documenting yourself as an account holder. Instead, you should provide a certification of your status under the IGA. See *Entities Providing Certifications Under an Applicable IGA* under *Special Instructions*, later.

Account That Is Not a Financial Account

If you are providing this form to document an account you hold with a foreign financial institution that is not a

financial account under Regulations section 1.1471-5(b)(2), check the "Account that is not a financial account" box on line 5.

Line 6. Enter the permanent residence address of the entity identified on line 1. Your permanent residence address is the address in the country where you claim to be a resident for purposes of that country's income tax. If you are giving Form W-8BEN-E to claim a reduced rate of, or exemption from, withholding under an income tax treaty, you must determine residency in the manner required by the treaty. Do not show the address of a financial institution (unless you are a financial institution providing your own address), a post office box, or an address used solely for mailing purposes unless it is the only address you use and it appears in your organizational documents (that is, your registered address). If you do not have a tax residence in any country, the permanent residence address is where you maintain your principal office.

Line 7. Enter your mailing address only if it is different from the address on line 6.

Line 8. Enter your U.S. employer identification number (EIN). An EIN is a U.S. taxpayer identification number (TIN) for entities. If you do not have a U.S. EIN, apply for one on Form SS-4, Application for Employer Identification Number, if you are required to obtain a U.S. TIN.

A partner in a partnership conducting a trade or business in the United States will likely be allocated effectively connected taxable income. In addition, if the partner transfers an interest in such a partnership, the partner may be subject to tax under section 864(c)(8) on the transfer. As in either case the partner is considered engaged in a U.S. trade or business because it is a partner in a partnership engaged in a U.S. trade or business, the partner is required to file a U.S. federal income tax return and must have a TIN, which the partner is required to provide on this form.

You must also provide a U.S. TIN if you are:

- Claiming an exemption from withholding under section 871(f) for certain annuities received under qualified plans, or
- Claiming benefits under an income tax treaty and have not provided a FTIN on line 9b.

However, a TIN is not required to be shown in order to claim treaty benefits on the following items of income:

- Dividends and interest from stocks and debt obligations that are actively traded;
- Dividends from any redeemable security issued by an investment company registered under the Investment Company Act of 1940 (mutual fund);
- Dividends, interest, or royalties from units of beneficial interest in a unit investment trust that are (or were upon issuance) publicly offered and are registered with the SEC under the Securities Act of 1933; and
- Income related to loans of any of the above securities.

See Regulations section 1.1441-1(e)(4)(vii) for other circumstances when you are required to provide a U.S. TIN for an amount subject to chapter 3 withholding.

TIP *If you need an EIN, you are encouraged to apply for one online instead of submitting a paper Form SS-4. For more information, visit IRS.gov/EIN.*

Line 9a. If you are a participating FFI, registered deemed-compliant FFI (including a sponsored FFI described in the Treasury regulations), reporting Model 1 FFI, reporting Model 2 FFI, direct reporting NFFE, trustee of a trustee-documented trust that is a foreign person providing this form for the trust, or sponsored direct reporting NFFE, you are required to enter your GIIN (with regard to your country of residence) on line 9a. If you are a trustee of a trustee-documented trust and you are a foreign person, you should provide the GIIN that you received when you registered as a participating FFI or reporting Model 1 FFI. If your branch is receiving the payment and is required to be identified in Part II, you are not required to provide a GIIN on line 9a. Instead, provide the GIIN of your branch (if applicable) on line 13.

You must provide your GIIN on line 9 if you are a nonreporting IGA FFI that is (1) treated as registered deemed-compliant under Annex II to an applicable Model 2 IGA or (2) a registered deemed-compliant FFI under Regulations section 1.1471-5(f)(1).

TIP *If you are in the process of registering with the IRS as a participating FFI, registered deemed-compliant FFI (including a sponsored FFI), reporting Model 1 FFI, reporting Model 2 FFI, direct reporting NFFE, sponsored direct reporting NFFE, or nonreporting IGA FFI but have not received a GIIN, you may complete this line by writing "applied for." However, the person requesting this form from you must receive and verify your GIIN within 90 days.*

Line 9b. If you are providing this Form W-8BEN-E to document yourself as an account holder with respect to a financial account (as defined in Regulations section 1.1471-5(b)) that you hold at a U.S. office of a financial institution (including a U.S. branch of an FFI) and you receive U.S. source income reportable on Form 1042-S associated with this form, you **must** provide on line 9b the FTIN issued to you by the jurisdiction in which you are a tax resident identified on line 6 unless:

- You properly identified yourself as a government (including a controlled entity that is a foreign government under section 892), central bank of issue, or international organization on line 4;
- You are a resident of a U.S. territory; or
- Your jurisdiction of residence is identified on the List of Jurisdictions That Do Not Issue Foreign TINs at *IRS.gov/businesses/corporations/list-of-jurisdictions-that-do-not-issue-foreign-tins*.

You also do not need to provide an FTIN on line 9b if you meet the requirement for checking the box on line 9c.

In addition, if you are not using this form to document a financial account described above, you may provide the FTIN issued to you by your jurisdiction of tax residence on line 9b for purposes of claiming treaty benefits (rather than providing a U.S. TIN on line 8, if required).

TIP *Lines 9a and 9b should accommodate the GIIN or foreign TIN, as appropriate. You may need to use a smaller font when completing the form. If the*

GIIN or FTIN does not fit in the space provided, you may provide a GIIN or FTIN that is indicated and clearly identified somewhere else on the form, or on a separate attached sheet, as long as the GIIN or FTIN is clearly identified as being furnished with respect to line 9a or 9b, respectively. For example, a handwritten GIIN located just outside of line 9a with a corresponding arrow pointing to line 9a is a properly provided GIIN for this purpose.

Line 9c. You may check the box in this line 9c if you are an account holder as described for purposes of line 9b and you are not legally required to obtain an FTIN from your jurisdiction of residence (including if the jurisdiction does not issue FTINs). By checking this box you will be treated as having provided an explanation for not providing an FTIN on line 9b. If you wish to provide a further (or other) explanation why you are not required to provide an FTIN on line 9b, you may do so in the margins of this form or on a separate statement attached to this form.

Line 10. This line may be used by you or by the withholding agent or FFI to include any referencing information that is useful to the withholding agent to document the beneficial owner. For example, withholding agents who are required to associate the Form W-8BEN-E with a particular Form W-8IMY may want to use line 10 for a referencing number or code that will make the association clear. You may also want to use line 10 to include the number of the account for which you are providing the form. If you are a single owner of a disregarded entity you may use line 10 to inform the withholding agent that the account to which a payment is made or credited is held in the name of the disregarded entity (unless the name of the disregarded entity is required to be provided on line 3).

You may also use line 10 to identify income from a notional principal contract that is not effectively connected with the conduct of a trade or business in the United States.

Part II – Disregarded Entity or Branch Receiving Payment

Complete Part II for a disregarded entity that has its own GIIN and is receiving a withholdable payment, or for a branch (including a branch that is a disregarded entity that does not have a GIIN) operating in a jurisdiction other than the country of residence identified on line 2. For example, assume ABC Co., which is a participating FFI resident in Country A, operates through a branch in Country B (which is a Model 1 IGA jurisdiction) and the branch is treated as a reporting Model 1 FFI under the terms of the Country B Model 1 IGA. ABC Co. should not enter its GIIN on line 9, and the Country B branch should complete this Part II by identifying itself as a reporting Model 1 IGA FFI and providing its GIIN on line 13. If the Country B branch receiving the payment is a disregarded entity you may be required to provide its legal name on line 3.

TIP *If the disregarded entity receiving a withholdable payment has its own GIIN, Part II should be completed regardless of whether it is in the same country as the single owner identified in Part I.*

If you have multiple branches/disregarded entities receiving payments from the same withholding agent and the information in Part I is the same for each branch/disregarded entity that will receive payments, a withholding agent may accept a single Form W-8BEN-E from you with a schedule attached that includes all of the Part II information for each branch/disregarded entity rather than separate Forms W-8BEN-E to identify each branch/disregarded entity receiving payments associated with the form and an allocation of the payment to each branch/disregarded entity.

Line 11. Check the one box that applies. If no box applies to the disregarded entity, you do not need to complete this part. If you check reporting Model 1 FFI, reporting Model 2 FFI, or participating FFI, you must complete line 13, later. If your branch is a branch of a reporting IGA FFI that cannot comply with the requirements of an applicable IGA or the regulations under chapter 4 (a related entity), you must check "Branch treated as nonparticipating FFI."

Line 12. Enter the address of the branch or disregarded entity.

Line 13. If you are a reporting Model 1 FFI, reporting Model 2 FFI, or participating FFI, you must enter the GIIN on line 13 of your branch that receives the payment. If you are a disregarded entity that completed Part I, line 3 of this form and are receiving payments associated with this form, enter your GIIN. Do not enter your GIIN on line 9. If you are a U.S. branch, enter a GIIN applicable to any other branch of the FFI (including in its residence country).

TIP *If you are in the process of registering your branch with the IRS but have not received a GIIN, you may complete this line by writing "applied for." However, the person requesting this form from you must receive and verify your GIIN within 90 days.*

Part III – Claim of Tax Treaty Benefits

Line 14a. If you are claiming a reduced rate of, or exemption from, withholding under an income tax treaty you must enter the country where you are a resident for income tax treaty purposes and check the box to certify that you are a resident of that country.

Line 14b. If you are claiming a reduced rate of, or exemption from, withholding under an income tax treaty you must check the box to certify that you:

- Derive the item of income for which the treaty benefit is claimed, and
- Meet the limitation on benefits provision contained in the treaty, if any.

An item of income may be derived by either the entity receiving the item of income or by the interest holders in the entity or, in certain circumstances, both. An item of income paid to an entity is considered to be derived by the entity only if the entity is not fiscally transparent under the laws of the entity's jurisdiction with respect to the item of income. An item of income paid to an entity shall be considered to be derived by the interest holder in the entity only if:

- The interest holder is not fiscally transparent in its jurisdiction with respect to the item of income, and

• The entity is considered to be fiscally transparent under the laws of the interest holder's jurisdiction with respect to the item of income. An item of income paid directly to a type of entity specifically identified in a treaty as a resident of a treaty jurisdiction is treated as derived by a resident of that treaty jurisdiction.

Limitation on benefits treaty provisions. If you are a resident of a foreign country that has entered into an income tax treaty with the United States that contains a limitation on benefits (LOB) article, you must complete one of the checkboxes on line 14b. You must also complete the applicable checkbox on line 14b if you are a resident of a foreign country that has entered into an income tax treaty with the United States that does not contain an LOB article. You may only check a box if the LOB article in that treaty includes a provision that corresponds to the checkbox on which you are relying to claim treaty benefits. A particular treaty might not include every type of test for which a checkbox is provided. For example, "Company that meets the derivative benefits test" is generally not available to a company resident in a treaty country that is not a member of the EU, EEA, or USMCA. In addition, each treaty LOB article that contains a specific test listed below may have particular requirements that must be met that differ from the requirements in another treaty with regard to the same test. Accordingly, you must check the relevant treaty LOB article for the particular requirements associated with each test. In general, only one LOB checkbox is required to claim a treaty exemption even if more than one checkbox would suffice to claim the benefits of the treaty for that item of income.

Each of the tests is summarized below for your general convenience but may not be relied upon for making a final determination that you meet an LOB test. Rather you must check the text of the LOB article itself to determine which tests are available under that treaty and the particular requirements of those tests. See Table 4, Limitation on Benefits, at *IRS.gov/Individuals/International-Taxpayers/Tax-Treaty-Tables*, for a summary of the major tests within the Limitation on Benefits article that are relevant for documenting any entity's claim for treaty benefits.

• Government—this test is met if the entity is the Contracting State, political subdivision, or local authority.

• Tax-exempt pension trust or pension fund—this test generally requires that more than half the beneficiaries or participants in the trust or fund be residents of the country of residence of the trust or fund itself.

• Other tax-exempt organization—this test generally requires that more than half the beneficiaries, members, or participants of religious, charitable, scientific, artistic, cultural, or educational organizations be residents of the country of residence of the organization.

• Publicly-traded corporation—this test generally requires the corporation's principal class of shares to be primarily and regularly traded on a recognized stock exchange in its country of residence, while other treaties may permit trading in either the United States or the treaty country, or in certain third countries if the primary place of management is the country of residence.

• Subsidiary of publicly-traded corporation—this test generally requires that more than 50% of the vote and value of the company's shares be owned, directly or indirectly, by five or fewer companies that are publicly-traded corporations and that themselves meet the publicly-traded corporation test, as long as all companies in the chain of ownership are resident in either the United States or the same country of residence as the subsidiary.

• Company that meets the ownership and base erosion test—this test generally requires that more than 50% of the vote and value of the company's shares be owned, directly or indirectly, by individuals, governments, tax-exempt entities, and publicly-traded corporations resident in the same country as the company, as long as all companies in the chain of ownership are resident in the same country of residence, and less than 50% of the company's gross income is accrued or paid, directly or indirectly, to persons who would not be good shareholders for purposes of the ownership test.

• Company that meets the derivative benefits test—this test is generally limited to USMCA, EU, and EEA country treaties, and may apply to all benefits or only to certain items of income (interest, dividends, and royalties). It generally requires that more than 95% of the aggregate vote and value of the company's shares be owned, directly or indirectly, by seven or fewer equivalent beneficiaries (ultimate owners who are resident in an EU, EEA, or USMCA country and are entitled to identical benefits under their own treaty with the United States under one of the ownership tests included within the LOB article (other than the stock ownership and base erosion test)). In addition, this test requires that less than 50% of the company's gross income be paid or accrued, directly or indirectly, to persons who would not be equivalent beneficiaries.

• Company with an item of income that meets the active trade or business test—this test generally requires that the company be engaged in an active trade or business in its country of residence, that its activities in that country be substantial in relation to its U.S. activities, if the payer is a related party, and the income be derived in connection to or incidental to that trade or business.

• No LOB article in treaty—this generally requires that the entity is a resident in a foreign country that has entered into an income tax treaty with the United States that does not contain an LOB article.

• Other—for other LOB tests that are not listed above (for example, a headquarters test). Identify the other test relied upon. For example, if you meet the headquarters test under the United States-Netherlands income tax treaty, you should write "Headquarters test, Article 26(5)" in the space provided.

• Favorable discretionary determination received—this test requires that the company obtain a favorable determination granting benefits from the U.S. competent authority that, despite the company's failure to meet a specific objective LOB test in the applicable treaty, it may nonetheless claim the requested benefits. Unless a treaty or technical explanation specifically provides otherwise, you may not claim discretionary benefits while your claim for discretionary benefits is pending.

If an entity is claiming treaty benefits on its own behalf, it should complete Form W-8BEN-E. If an interest holder in an entity that is considered fiscally transparent in the interest holder's jurisdiction is claiming a treaty benefit, the interest holder should complete Form W-8BEN (if an

individual) or Form W-8BEN-E (if an entity) on its own behalf as the appropriate treaty resident, and the fiscally transparent entity should associate the interest holder's Form W-8BEN or Form W-8BEN-E with a Form W-8IMY completed by the fiscally transparent entity (see *Hybrid Entity Making a Claim of Treaty Benefits* under *Special Instructions*, later).

An income tax treaty may not apply to reduce the amount of any tax on an item of income received by an entity that is treated as a domestic corporation for U.S. tax purposes. Therefore, neither the domestic corporation nor its shareholders are entitled to the benefits of a reduction of U.S. income tax on an item of income received from U.S. sources by the corporation.

If you are an entity that derives the income as a resident of a treaty country, you must check the box "No LOB article in treaty" if the applicable income tax treaty does not contain a "limitation on benefits" provision.

Line 14c. If you are a foreign corporation claiming treaty benefits under an income tax treaty that entered into force before January 1, 1987 (and has not been renegotiated) on (1) U.S. source dividends paid to you by another foreign corporation or (2) U.S. source interest paid to you by a U.S. trade or business of another foreign corporation, you must generally be a "qualified resident" of a treaty country. See section 884 for the definition of interest paid by a U.S. trade or business of a foreign corporation ("branch interest") and other applicable rules.

In general, a foreign corporation is a qualified resident of a country if any of the following apply:

- It meets a 50% ownership and base erosion test.
- It is primarily and regularly traded on an established securities market in its country of residence or the United States.
- It carries on an active trade or business in its country of residence.
- It gets a ruling from the IRS that it is a qualified resident.

See Regulations section 1.884-5 for the requirements that must be met to satisfy each of these tests.

If you are claiming treaty benefits under an income tax treaty entered into force after December 31, 1986, do not check the line on box 14c. Instead, check the boxes for line 14b.

Line 15. Line 15 must be used only if you are claiming treaty benefits that require that you meet conditions not covered by the representations you make on line 14 (or other certifications on the form). This line is generally not applicable to claiming treaty benefits under an interest or dividends (other than dividends subject to a preferential rate based on ownership) article of a treaty or other income article, unless such article requires additional representations. For example, certain treaties allow for a zero rate on dividends for certain qualified residents provided that additional requirements are met, such as ownership percentage, ownership period, and that the resident meet a combination of tests under an applicable LOB article. You should indicate the specific treaty article and paragraph or subparagraph, as applicable. You should also use this space to set out the requirements you meet under the identified treaty article.

The following are examples of persons who should complete this line:

- Exempt organizations claiming treaty benefits under the exempt organization articles of the treaties with Canada, Mexico, Germany, and the Netherlands.
- Foreign corporations that are claiming a preferential rate applicable to dividends based on ownership of a specific percentage of stock in the entity paying the dividend and owning the stock for a specified period of time. Such persons should provide the percentage of ownership and the period of time they owned the stock. For example, under the United States-Italy treaty, to claim the 5% dividend rate, the Italian corporation must own 25% of the voting stock for a 12-month period.

In addition, for example, if you qualify for and are claiming a zero rate on dividend payments under Article 10(3) of the United States-Germany income tax treaty, you should fill out line 15 with "Article 10(3)," "0," and "dividends" in the spaces provided. In the space provided for an explanation, you may write that you are the beneficial owner of the dividends, you are a resident of Germany, you have directly owned shares representing 80% or more of the voting power of the company paying the dividends for the 12-month period ending on the date the entitlement to the dividend is determined, and that you satisfy the conditions of Article 28(2)(f)(aa) and (bb) and Article 28(4) of the treaty with respect to the dividends.

- Persons claiming treaty benefits on royalties if the treaty contains different withholding rates for different types of royalties.
- Persons claiming treaty benefits on interest other than the generally applicable rate. For example, under the United States-Australia treaty, the generally applicable interest rate is 10% under Article 11(2). However, interest may be exempt from withholding if the specific conditions under Article 11(3) are met.
- Persons claiming treaty benefits on business profits not attributable to a permanent establishment or on gains arising from the alienation of property (other than real property) that does not form all or part of a permanent establishment (including gains that do not arise from the alienation of a permanent establishment). For example, a foreign partner that derives gains subject to tax under section 864(c)(8) upon the transfer of an interest in a partnership that conducts a trade or business within the United States may claim treaty benefits on this form with respect to the withholding required under section 1446(f) by stating that the gains are not attributable to a permanent establishment and by including the relevant gains article of the treaty. Additionally, for a claim that gain or income with respect to a PTP interest is not attributable to a permanent establishment in the United States, you must identify the name of each PTP to which the claim relates. See, however, Regulations section 1.864(c)(8)-1(f) (providing that gain or loss on the alienation of a partnership interest is gain or loss attributable to the alienation of assets forming part of a permanent establishment to the extent that the assets deemed sold under section 864(c)(8) form part of a permanent establishment of the partnership).

Parts IV Through XXVIII – Certification of Chapter 4 Status

You should complete only one part of Parts IV through XXVIII certifying to your chapter 4 status (if required). You are not required to complete a chapter 4 status certification if you are not the payee of withholdable payment or you do not hold an account with an FFI requesting this form. Identify which part (if any) you should complete by reference to the box you checked on line 5. An entity that selects nonparticipating FFI, participating FFI, registered deemed-compliant FFI (other than a sponsored FFI), reporting Model 1 FFI, reporting Model 2 FFI, or direct reporting NFFE (other than a sponsored direct reporting NFFE) on line 5 is not required to complete any of the certifications in Parts IV through XXVIII.

IGA. In lieu of the certifications contained in Parts IV through XXVIII of Form W-8BEN-E, in certain cases you may provide an alternate certification to a withholding agent. See *Entities Providing Certifications Under an Applicable IGA* under *Special Instructions*, later.

Part IV – Sponsored FFI

Line 16. If you are a sponsored FFI described in Regulations section 1.1471-5(f)(1)(i)(F), enter the name of the sponsoring entity that has agreed to fulfill the due diligence, reporting, and withholding obligations (as applicable) on behalf of the sponsored FFI identified on line 1. You must provide your GIIN on line 9.

Line 17. You must check the applicable box to certify that you are either a sponsored investment entity or sponsored controlled foreign corporation (within the meaning of section 957(a)) and that you satisfy the other relevant requirements for this status.

Part V – Certified Deemed-Compliant Nonregistering Local Bank

Line 18. If you are a certified deemed-compliant nonregistering local bank, you must check the box to certify that you meet all of the requirements for this certified deemed-compliant status.

Part VI – Certified Deemed-Compliant FFI With Only Low-Value Accounts

Line 19. If you are a certified deemed-compliant FFI with only low-value accounts, you must check the box to certify that you meet all of the requirements for this certified deemed-compliant classification.

Part VII – Certified Deemed-Compliant Sponsored, Closely Held Investment Vehicle

Line 20. Enter the name of your sponsoring entity that has agreed to fulfill the due diligence, reporting, and withholding obligations of the entity identified on line 1 as if the entity on line 1 were a participating FFI. You must also enter the GIIN of your sponsoring entity on line 9a.

Line 21. If you are a sponsored, closely held investment vehicle, you must check the box to certify that you meet all of the requirements for this certified deemed-compliant status.

Part VIII – Certified Deemed-Compliant Limited Life Debt Investment Company

Line 22. If you are a limited life debt investment entity, you must check the box to certify that you meet all of the requirements for this certified deemed-compliant status.

Part IX – Certain Investment Entities That Do Not Maintain Financial Accounts

Line 23. If you are an FFI that is a financial institution solely because you are described in Regulations section 1.1471-5(e)(4)(i)(A) and you do not maintain financial accounts, you must check the box to certify that you meet all of the requirements for this certified deemed-compliant status.

Part X – Owner-Documented FFI

Line 24a. If you are an owner-documented FFI, you must check the box to certify that you meet all of the requirements for this status and are providing this form to a U.S. financial institution, participating FFI, reporting Model 1 FFI, or reporting Model 2 FFI that agrees to act as a designated withholding agent with respect to you. See Regulations section 1.1471-5(f)(3) for more information about an owner-documented FFI, including with respect to a designated withholding agent.

Line 24b. Check the box to certify that you have provided or will provide the documentation set forth in the certifications, including the FFI owner reporting statement and the valid documentation for each person identified on the FFI owner reporting statement described on line 24b.

Line 24c. Check the box to certify that you have provided or will provide the auditor's letter (in lieu of the information required by line 24b) that satisfies the requirements reflected on this line.

TIP *Check either line 24b or line 24c. Do not check both boxes.*

Line 24d. Check the box if you do not have any contingent beneficiaries or designated classes with unidentified beneficiaries. While this certification is not required, an owner reporting statement provided by an owner-documented FFI will remain valid indefinitely for chapter 4 purposes absent a change in circumstances with respect to offshore obligations (as defined in Regulations section 1.6049-5(c)(1)) only if this certification is provided and the account balance of all accounts held by the owner-documented FFI with the withholding agent does not exceed $1,000,000 on the later of June 30, 2014, or the last day of the calendar year in which the account was opened, and the last day of

each subsequent calendar year preceding the payment, applying the account aggregation rules of Regulations section 1.1471-5(b)(4)(iii).

Part XI – Restricted Distributor

Line 25a. If you are a restricted distributor you must check the box to certify that you meet all of the requirements for this status.

Lines 25b and 25c. Check the appropriate box to certify your status. Do not check both boxes.

CAUTION *A restricted distributor may certify only with respect to an account it maintains in connection with a distribution agreement with a restricted fund. A restricted distributor that, in connection with such a distribution agreement, receives a payment subject to chapter 3 withholding or a withholdable payment should complete Form W-8IMY and not this form except to the extent it holds interests in connection with such an agreement as a beneficial owner.*

Part XII – Nonreporting IGA FFI

Line 26. Check the box to indicate that you are treated as a nonreporting IGA FFI. You must identify the IGA by entering the name of the jurisdiction that has the IGA treated as in effect with the United States, and indicate whether it is a Model 1 or Model 2 IGA. You must also provide the withholding agent with the specific category of FFI described in Annex II of the IGA. In providing the specific category of FFI described in Annex II, you should use the language from Annex II that best and most specifically describes your status. For example, indicate "investment entity wholly owned by exempt beneficial owners" rather than "exempt beneficial owner." If you are a nonreporting IGA FFI claiming a deemed-compliant status under the regulations, you must instead indicate on this line which section of the regulations you qualify under.

If you are a nonreporting financial institution under an applicable IGA because you qualify as an owner-documented FFI under the regulations, do not check "Nonreporting IGA FFI." Instead, you must check "Owner-documented FFI" and complete Part X rather than this Part XII.

See instructions for *Line 9a* for when a GIIN is required for a nonreporting IGA FFI (including a trustee of a trustee-documented trust that is a foreign person).

Part XIII – Foreign Government, Government of a U.S. Possession, or Foreign Central Bank of Issue

Line 27. If you are a foreign government or political subdivision of a foreign government (including wholly owned agencies and instrumentalities thereof), government of a U.S. possession, or foreign central bank of issue (each as defined in Regulations section 1.1471-6) you must check the box and certify that you meet all of the requirements for this status (including that you do not engage in the type of commercial financial activities described on this line except to the extent permitted under Regulations section 1.1471-6(h)(2)).

TIP *If you are a foreign government or political subdivision of a foreign government (including wholly owned agencies and instrumentalities thereof), government of a U.S. possession, or foreign central bank of issue, you should only complete Form W-8BEN-E for payments for which you are not claiming the applicability of section(s) 115(2), 892, or 895; otherwise you should use Form W-8EXP.*

Part XIV – International Organization

Line 28a. Check this box to certify that you are an international organization described in section 7701(a)(18).

TIP *If you are an entity that has been designated as an international organization by executive order (pursuant to 22 U.S.C. 288 through 288f), check box 28a. If you are claiming an exemption from withholding for purposes of chapter 3, however, use Form W-8EXP.*

Line 28b. If you are an international organization other than an international organization described on line 28a, you must check the box to certify that you satisfy all of the requirements for this status.

Part XV – Exempt Retirement Plans

Lines 29a, b, c, d, e, and f. ,

If you are an exempt retirement plan you must check the appropriate box to certify that you meet all of the requirements for this status.

Part XVI – Entity Wholly Owned by Exempt Beneficial Owners

Line 30. If you are an entity wholly owned by exempt beneficial owners you must check the box to certify that you meet all of the requirements for this status. You must also provide the owner documentation described in this line establishing that each of your direct owners or debt holders is an exempt beneficial owner described in Regulations section 1.1471-6(b).

Part XVII – Territory Financial Institution

Line 31. If you are a territory financial institution you must check the box to certify that you meet all of the requirements for this status.

Part XVIII – Excepted Nonfinancial Group Entity

Line 32. If you are an excepted nonfinancial group entity you must check the box to certify that you meet all of the requirements for this status.

Part XIX – Excepted Nonfinancial Start-Up Company

Line 33. If you are an excepted nonfinancial start-up company you must check the box to certify that you meet all of the requirements for this status. You must also

provide the date you were formed or your board passed a resolution (or equivalent measure) approving a new line of business (which cannot be that of a financial institution or passive NFFE).

Part XX – Excepted Nonfinancial Entity in Liquidation or Bankruptcy

Line 34. If you are an excepted nonfinancial group entity in liquidation or bankruptcy you must check the box to certify that you meet all of the requirements for this status. You must also provide the date that you filed a plan of liquidation, plan of reorganization, or bankruptcy petition.

Part XXI – 501(c) Organization

Line 35. If you are an entity claiming chapter 4 status as a section 501(c) organization pursuant to Regulations section 1.1471-5(e)(5)(v) you must check the box and provide the date that the IRS issued you a determination letter or provide a copy of an opinion from U.S. counsel certifying that you qualify as a section 501(c) organization (without regard to whether you are a foreign private foundation).

TIP *If you are a section 501(c) organization claiming an exemption from withholding for purposes of chapter 3, however, use Form W-8EXP.*

Part XXII – Nonprofit Organization

Line 36. If you are a nonprofit organization (other than an entity claiming chapter 4 status as a section 501(c) organization pursuant to Regulations section 1.1471-5(e)(5)(v)) you must check the box to certify that you meet all of the requirements for this status.

Nonprofit organization under an IGA. If you are an entity that is established and maintained in a jurisdiction that is treated as having in effect an IGA and you are described in Annex I as a nonprofit organization that is an Active NFFE, see *Entities Providing Certifications Under an Applicable IGA* under *Special Instructions*, later.

Part XXIII – Publicly-Traded NFFE or NFFE Affiliate of a Publicly-Traded Corporation

Line 37a. If you are a publicly-traded NFFE you must check the box to certify that you are not a financial institution and provide the name of a securities exchange on which your stock is publicly traded.

Line 37b. If you are an NFFE that is a member of the same expanded affiliated group as a publicly-traded U.S. or foreign entity you must check this box, provide the name of the publicly-traded entity, and identify the securities market on which the stock of the publicly-traded entity is traded. See Regulations section 1.1472-1(c)(1)(i) to determine if the stock of an entity is regularly traded on an established securities market (substituting the term "U.S. entity" for "NFFE," as appropriate, for purposes of testing whether an entity is publicly traded).

Part XXIV – Excepted Territory NFFE

Line 38. If you are an excepted territory NFFE you must check the box to certify that you meet all of the requirements for this classification. See Regulations section 1.1472-1(c)(1)(iii) for the definition of an excepted territory NFFE.

Part XXV – Active NFFE

Line 39. If you are an active NFFE you must check the box to certify that you meet all of the requirements for this status, including the assets and passive income test described in the certification for this part. For purposes of applying this test, passive income includes dividends, interest, rents, royalties, annuities, and certain other forms of passive income. See Regulations section 1.1472-1(c)(1)(iv)(A) for additional detail for the definition of passive income. Also see Regulations section 1.1472-1(c)(1)(iv)(B) for exceptions from the definition of passive income for certain types of income.

Part XXVI – Passive NFFE

Line 40a. If you are a passive NFFE you must check the box to certify that you are not a financial institution and are not certifying your status as a publicly-traded NFFE, NFFE affiliate of a publicly-traded company, excepted territory NFFE, active NFFE, direct reporting NFFE, or sponsored direct reporting NFFE.

Note. If you would be a passive NFFE but for the fact that you are managed by certain types of financial institutions (see Regulations section 1.1471-5(e)(4)(i)(B)), you should not complete line 40a as you would be considered a financial institution and not a passive NFFE.

TIP *If you are an NFFE that may qualify as an active NFFE (or other NFFE described in another part of this form), you may still check line 40a and disclose your substantial U.S. owners or certify that you have no substantial U.S. owners.*

Line 40b. Check this box to certify that you have no substantial U.S. owners.

Line 40c. If you do not check the box and make the certification on line 40b, you must check this box 40c and complete Part XXIX to identify and provide the name, address, and TIN of each of your substantial U.S. owners.

Note. If you are an NFFE that is providing Form W-8BEN-E to an FFI treated as a reporting Model 1 FFI or reporting Model 2 FFI, you may also use Part XXIX to report controlling U.S. persons (as defined in an applicable IGA). The references to "controlling U.S. persons" in this part and Part XXIX apply only if the form is being provided to an FFI treated as a reporting Model 1 FFI or reporting Model 2 FFI.

Part XXVII – Excepted Inter-Affiliate FFI

Line 41. If you are an excepted inter-affiliate FFI you must check the box to certify that you meet all of the requirements of this classification. This classification will only apply for an excepted inter-affiliate FFI that holds

deposit accounts described in the certification for this part and that is documenting itself to the financial institution that maintains the deposit account. You are not eligible for this classification if you receive or make withholdable payments to or from any person other than a member of your expanded affiliated group, other than the depository institution described in the previous sentence. See Regulations section 1.1471-5(e)(5)(iv) for all the requirements of this status.

Part XXVIII – Sponsored Direct Reporting NFFEs

Lines 42 and 43. If you are a sponsored direct reporting NFFE you must enter the name of the sponsoring entity on line 42 and check the box to certify that you meet all of the requirements for this classification. You must also provide your GIIN on line 9a.

Part XXIX – Substantial U.S. Owners of Passive NFFE

If you identified yourself as a passive NFFE (including an investment entity that is a territory NFFE but is not an excepted territory NFFE under Regulations section 1.1472-1(c)) with one or more substantial U.S. owners in Part XXVI, you must identify each substantial U.S. owner. Provide the name, address, and TIN of each substantial U.S. owner in the relevant column. You may attach this information on a separate statement, which remains subject to the same perjury statement and other certifications made in Part XXX. If you are reporting controlling U.S. persons (as defined in an applicable IGA) to a Model 1 FFI or reporting Model 2 FFI with which you maintain an account that requests such ownership information with this form, you may use this space or attach a separate statement to report such persons.

Part XXX – Certification

Form W-8BEN-E must be signed and dated by an authorized representative or officer of the beneficial owner, participating payee (for purposes of section 6050W), or account holder of an FFI requesting this form. You must check the box to certify that you have the legal capacity to sign for the entity identified on line 1 that is the beneficial owner of the income. If Form W-8BEN-E is completed by an agent acting under a duly authorized power of attorney, the form must be accompanied by the power of attorney in proper form or a copy thereof specifically authorizing the agent to represent the principal in making, executing, and presenting the form. Form 2848, Power of Attorney and Declaration of Representative, may be used for this purpose. The agent, as well as the beneficial owner, payee, or account holder (as applicable), may incur liability for the penalties provided for an erroneous, false, or fraudulent form. By signing Form W-8BEN-E, the authorized representative, officer, or agent of the entity also agrees to provide a new form within 30 days following a change in circumstances affecting the correctness of the form.

A withholding agent may allow you to provide this form with an electronic signature. The electronic signature must indicate that the form was electronically signed by a person authorized to do so (for example, with a time and date stamp and statement that the form has been electronically signed). Simply typing your name into the signature line is not an electronic signature. A withholding agent may also rely on an electronically signed withholding certificate if you provide any additional information or documentation requested by the withholding agent to support that the form was signed by you or other person authorized to do so. See Regulations section 1.1441-1(e)(4)(i)(B).

Broker transactions or barter exchanges. Income from transactions with a broker or a barter exchange is subject to reporting rules and backup withholding unless Form W-8BEN-E or a substitute form is filed to notify the broker or barter exchange that you are an exempt foreign person.

You are an exempt foreign person for a calendar year in which:

- You are a foreign corporation, partnership, estate, or trust; and
- You are neither engaged, nor plan to be engaged during the year, in a U.S. trade or business that has effectively connected gains from transactions with a broker or barter exchange.

Special Instructions

Hybrid Entity Making a Claim of Treaty Benefits

If you are a hybrid entity making a claim for treaty benefits as a resident on your own behalf, you may do so as permitted under an applicable tax treaty. You should complete this Form W-8BEN-E to claim treaty benefits in the manner described in the instructions for Part III and complete Part I to the extent indicated below. Note that you should not complete line 5 indicating your chapter 4 status unless you are a disregarded entity that is treated as the payee for chapter 4 purposes.

If you are a flow-through entity claiming treaty benefits on a payment that is a withholdable payment, you should also provide Form W-8IMY along with a withholding statement (if required) establishing the chapter 4 status of each of your partners or owners. Allocation information is not required on this withholding statement unless one or more partners or owners are subject to chapter 4 withholding (such as a nonparticipating FFI). If you are a disregarded entity claiming treaty benefits on a payment that is a withholdable payment, unless you are treated as the payee for chapter 4 purposes and have your own GIIN, your single owner should provide Form W-8BEN-E or Form W-8BEN (as applicable) to the withholding agent along with this form. You or the withholding agent may use line 10 to inform the withholding agent to associate the two forms.

Line 1. Enter your legal name (determined by reference to your legal identity in your country of incorporation or organization).

Line 2. Enter the country under whose laws you are created, organized, or governed.

Line 3. Leave this line blank. For purposes of completing this form as a hybrid entity making a treaty claim

(including a disregarded entity), you are treated as the beneficial owner and should be identified on line 1.

Line 4. Check the box that applies among disregarded entity, partnership, grantor trust, or simple trust. You must also check the box indicating that you are a hybrid making a treaty claim and complete Part III.

Line 5. Leave this line blank, except in the circumstances described above.

Lines 6, 7, and 8. Complete lines 6, 7, and 8 as provided in the specific instructions, earlier.

Line 9b. If your country of residence for tax purposes has issued you a tax identifying number, enter it here. Do not enter the tax identifying number of your owner(s).

Line 10. This reference line is used to associate this Form W-8BEN-E with another applicable withholding certificate or other documentation provided for purposes of chapter 4. For example, if you are a partnership making a treaty claim, you may want to provide information for the withholding agent to associate this Form W-8BEN-E with the Form W-8IMY and owner documentation you provide for purposes of establishing the chapter 4 status of your owner(s).

You must complete Parts III and XXX in accordance with the specific instructions above. Complete Part II if applicable.

Foreign Reverse Hybrid Entities

A foreign reverse hybrid entity should only file a Form W-8BEN-E for payments for which it is not claiming treaty benefits on behalf of its owners and must provide a chapter 4 status when it is receiving a withholdable payment. A foreign reverse hybrid entity claiming treaty benefits on behalf of its owners should provide the withholding agent with Form W-8IMY (including its chapter 4 status when receiving a withholdable payment) along with a withholding statement and Forms W-8BEN or W-8BEN-E (or documentary evidence to the extent permitted) on behalf of each of its owners claiming treaty benefits. See Form W-8IMY and accompanying instructions for more information.

Entities Providing Certifications Under an Applicable IGA

An FFI in an IGA jurisdiction with which you have an account may provide you with a chapter 4 status certification other than as shown in Parts IV through XXVIII in order to satisfy its due diligence requirements under the applicable IGA. In such a case, you may attach the alternative certification to this Form W-8BEN-E in lieu of completing a certification otherwise required in Parts IV through XXVIII provided that you: (1) determine that the certification accurately reflects your status for chapter 4 purposes or under an applicable IGA; and (2) the withholding agent provides a written statement to you that it has provided the certification to meet its due diligence requirements as a participating FFI or registered deemed-compliant FFI under an applicable IGA. For example, Entity A organized in Country A holds an account with an FFI in Country B. Country B has a Model 1 IGA in effect. The FFI in Country B may ask Entity A to provide a chapter 4 status certification based on the terms of the Country B IGA in order to fulfil its due diligence and documentation requirements under the Country B IGA.

You may also provide with this form an applicable IGA certification if you are determining your chapter 4 status under the definitions provided in an applicable IGA and your certification identifies the jurisdiction that is treated as having an IGA in effect and describes your status as an NFFE or FFI in accordance with the applicable IGA. However, if you determine your status under an applicable IGA as an NFFE, you must still determine if you are an excepted NFFE under the Regulations in order to complete this form unless you are provided an alternative certification by an FFI described in the preceding paragraph that covers your certification as an NFFE (such as “active NFFE”) as defined in an applicable IGA. Additionally, you are required to comply with the conditions of your status under the law of the IGA jurisdiction to which you are subject if you are determining your status under that IGA. If you cannot provide the certifications in Parts IV through XXVIII, or if you are a nonprofit entity that meets the definition of “active NFFE” under the applicable IGA, do not check a box on line 5. However, if you determine your status under the definitions of the IGA and can certify to a chapter 4 status included on this form, you do not need to provide the certifications described in this paragraph unless required by the FFI to whom you are providing this form.

Any certifications provided under an applicable IGA remain subject to the penalty of perjury statement and other certifications made in Part XXX.

Entities Providing Alternate or Additional Certifications Under Regulations

If you qualify for a status that is not shown on this form, you may attach applicable certifications for such status from any other Form W-8 on which the relevant certifications appear. If the applicable certifications do not appear on any Form W-8 (if, for example, new regulations provide for an additional status and this form has not been updated to incorporate the status) then you may provide an attachment certifying that you qualify for the applicable status described in a particular Regulations section. Include a citation to the applicable provision in the Regulations. Any such attached certification becomes an integral part of this Form W-8BEN-E and is subject to the penalty of perjury statement and other certifications made in Part XXX.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to provide the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 12 hr., 40 min.; **Learning about the law or the form**, 4 hr., 17 min.; **Preparing and sending the form**, 8 hr., 16 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can send us comments from *IRS.gov/FormComments*. You can write to the Internal Revenue Service, Tax Forms and Publications, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send Form W-8IMY to this office. Instead, give it to your withholding agent.

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