

## W-8BEN nyomtatvány kitöltési útmutató

A Magyarország Kormánya és az Amerikai Egyesült Államok Kormánya között a nemzetközi adóügyi megfelelés előmozdításáról és a FATCA szabályozás végrehajtásáról szóló megállapodás kihirdetéséről, valamint az ezzel összefüggő egyes törvények módosításáról szóló 2014. évi XIX. törvény (a továbbiakban: FATCA törvény), rendelkezéseinek megfelelően az Erste Bank Hungary Zrt. (továbbiakban: Bank) ügyfelei tekintetében adóilletőség-vizsgálat lefolytatására kötelezett. Az adóilletőség-vizsgálat lefolytatása érdekében valamennyi ügyfél köteles írásban nyilatkozni arról, hogy adóilletőség szempontjából az Amerikai Egyesült Államok adóalanya-e vagy sem.

A W-8BEN nyomtatvány csak és kizárólag **természetes személyek** tölthetik ki! Tehát egyrészt olyan természetes személy ügyfelek, akik **US kapcsolatra utaló adattal rendelkeznek** valamint jogi személy/jogi személyiség nélküli egyéb szervezet ügyfelek tényleges tulajdonosa(i), aki(k) US kapcsolatra utaló adattal rendelkeznek.

A nyilatkozat kitöltésével az adott US kapcsolatra utaló adattal rendelkező természetes személy ügyfél vagy tényleges tulajdonos **azt bizonyítja, hogy nem amerikai adóalany.**

A nyomtatvány letölthető innen: <https://www.irs.gov/pub/irs-pdf/fw8ben.pdf>

**FONTOS!** A W-8BEN nyomtatvány határozott ideig érvényes. Lejárati ideje: kitöltés évét követő harmadik év utolsó napjáig érvényes!

Form <b>W-8BEN</b>		Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding and Reporting (Individuals)		OMB No. 1545-1621
(Rev. July 2017)		► For use by individuals. Entities must use Form W-8BEN-E.		
Department of the Treasury Internal Revenue Service		► Go to <a href="http://www.irs.gov/FormW8BEN">www.irs.gov/FormW8BEN</a> for instructions and the latest information.		
		► Give this form to the withholding agent or payer. Do not send to the IRS.		
<b>Do NOT use this form if:</b>		<b>Instead, use Form:</b>		
• You are NOT an individual		W-8BEN-E		
• You are a U.S. citizen or other U.S. person, including a resident alien individual		W-9		
• You are a beneficial owner claiming that income is effectively connected with the conduct of trade or business within the U.S. (other than personal services)		W-BECI		
• You are a beneficial owner who is receiving compensation for personal services performed in the United States		8233 or W-4		
• You are a person acting as an intermediary		W-BIMY		
<b>Note:</b> If you are resident in a FATCA partner jurisdiction (i.e., a Model 1 IGA jurisdiction with reciprocity), certain tax account information may be provided to your jurisdiction of residence.				
<b>Part I Identification of Beneficial Owner</b> (see instructions)				
1 Name of individual who is the beneficial owner		2 Country of citizenship		
3 Permanent residence address (street, apt. or suite no., or rural route). <b>Do not use a P.O. box or in-care-of address.</b>				
City or town, state or province. Include postal code where appropriate.				Country
4 Mailing address (if different from above)				
City or town, state or province. Include postal code where appropriate.				Country
5 U.S. taxpayer identification number (SSN or ITIN), if required (see instructions)		6 Foreign tax identifying number (see instructions)		
7 Reference number(s) (see instructions)		8 Date of birth (MM-DD-YYYY) (see instructions)		
<b>Part II Claim of Tax Treaty Benefits</b> (for chapter 3 purposes only) (see instructions)				
9 I certify that the beneficial owner is a resident of _____ within the meaning of the income tax treaty between the United States and that country.				
10 <b>Special rates and conditions</b> (if applicable—see instructions): The beneficial owner is claiming the provisions of Article and paragraph _____ of the treaty identified on line 9 above to claim a _____ % rate of withholding on (specify type of income): _____				
Explain the additional conditions in the Article and paragraph the beneficial owner meets to be eligible for the rate of withholding: _____				
<b>Part III Certification</b>				
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:				
<ul style="list-style-type: none"><li>I am the individual that is the beneficial owner (or am authorized to sign for the individual that is the beneficial owner) of all the income to which this form relates or am using this form to document myself for chapter 4 purposes,</li><li>The person named on line 1 of this form is not a U.S. person,</li><li>The income to which this form relates is:<ul style="list-style-type: none"><li>(a) not effectively connected with the conduct of a trade or business in the United States,</li><li>(b) effectively connected but is not subject to tax under an applicable income tax treaty, or</li><li>(c) the partner's share of a partnership's effectively connected income,</li></ul></li><li>The person named on line 1 of this form is a resident of the treaty country listed on line 9 of the form (if any) within the meaning of the income tax treaty between the United States and that country, and</li><li>For broker transactions or barter exchanges, the beneficial owner is an exempt foreign person as defined in the instructions.</li></ul>				
Furthermore, I authorize this form to be provided to any withholding agent that has control, receipt, or custody of the income of which I am the beneficial owner or any withholding agent that can disburse or make payments of the income of which I am the beneficial owner. I agree that I will submit a new form within 30 days if any certification made on this form becomes incorrect.				
<b>Sign Here</b>				
Signature of beneficial owner (or individual authorized to sign for beneficial owner)		Date (MM-DD-YYYY)		
Print name of signer		Capacity in which acting (if form is not signed by beneficial owner)		
For Paperwork Reduction Act Notice, see separate instructions. Cat. No. 25047Z Form <b>W-8BEN</b> (Rev. 7-2017)				

## I. Az ügyfél adatai

Form <b>W-8BEN</b> (Rev. February 2014) Department of the Treasury Internal Revenue Service	<b>Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding and Reporting (Individuals)</b> <b>► For use by individuals. Entities must use Form W-8BEN-E.</b> <b>► Information about Form W-8BEN and its separate instructions is at <a href="http://www.irs.gov/formw8ben">www.irs.gov/formw8ben</a>.</b> <b>► Give this form to the withholding agent or payer. Do not send to the IRS.</b>	OMB No. 1545-1621
<b>Do NOT use this form if:</b>		<b>Instead, use Form:</b>
• You are NOT an individual . . . . .		W-8BEN-E
• You are a U.S. citizen or other U.S. person, including a resident alien individual . . . . .		W-9
• You are a beneficial owner claiming that income is effectively connected with the conduct of trade or business within the U.S. (other than personal services) . . . . .		W-8ECI
• You are a beneficial owner who is receiving compensation for personal services performed in the United States . . . . .		8233 or W-4
• A person acting as an intermediary . . . . .		W-8IMY
<b>Part I Identification of Beneficial Owner (see instructions)</b>		
<b>1</b> Name of individual who is the beneficial owner	<b>2</b> Country of citizenship	
<b>3</b> Permanent residence address (street, apt. or suite no., or rural route). <b>Do not use a P.O. box or in-care-of address.</b>		
City or town, state or province. Include postal code where appropriate.		Country
<b>4</b> Mailing address (if different from above)		
City or town, state or province. Include postal code where appropriate.		Country
<b>5</b> U.S. taxpayer identification number (SSN or ITIN), if required (see instructions)	<b>6</b> Foreign tax identifying number (see instructions)	
<b>7</b> Reference number(s) (see instructions)	<b>8</b> Date of birth (MM-DD-YYYY) (see instructions)	

A W-8BEN nyilatkozat első részében értelemszerűen meg kell adni az adott természetes személy adatait az alábbiak szerint:

1. Az ügyfél neve
2. **Állampolgárság**
3. **Állandó lakcím** (első sor: közterület neve és házszám; második sor első része: irányítószám és helység megnevezése; második sor második része: ország megnevezése)
4. **Levelezési cím** (első sor: közterület neve és házszám; második sor első része: irányítószám és helység megnevezése; második sor második része: ország megnevezése)

**A nyomtatvány fentiekben kitöltésre meg nem jelölt részeit természetes személy ügyfelek esetén nem kell kitölteni!**

## II. Nyilatkozati rész 1.

<b>Part II Claim of Tax Treaty Benefits (for chapter 3 purposes only) (see instructions)</b>	
<b>9</b>	I certify that the beneficial owner is a resident of _____ within the meaning of the income tax treaty between the United States and that country.
<b>10</b>	<b>Special rates and conditions</b> (if applicable—see instructions): The beneficial owner is claiming the provisions of Article _____ of the treaty identified on line 9 above to claim a _____ % rate of withholding on (specify type of income): _____
	Explain the reasons the beneficial owner meets the terms of the treaty article: _____

A W-8BEN nyomtatvány fenti részét **nem kell kitöltenie** a Bank egyetlen ügyfelének sem. Ez a rész kitöltés nélkül áthúzható. Azért mellőzhető a kitöltés, mert a Bank nem minősül úgynevezett

„minősített közvetítő”-nek (qualified intermediary). Az erre vonatkozó szabályokat az USA adóködexének 3. fejezete („Chapter 3”) tartalmazza.

### III. Nyilatkozati rész 2.

#### Part III 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:

- I am the individual that is the beneficial owner (or am authorized to sign for the individual that is the beneficial owner) of all the income to which this form relates or am using this form to document myself as an individual that is an owner or account holder of a foreign financial institution,
- The person named on line 1 of this form is not a U.S. person,
- The income to which this form relates is:
  - (a) not effectively connected with the conduct of a trade or business in the United States,
  - (b) effectively connected but is not subject to tax under an applicable income tax treaty, or
  - (c) the partner's share of a partnership's effectively connected income,
- The person named on line 1 of this form is a resident of the treaty country listed on line 9 of the form (if any) within the meaning of the income tax treaty between the United States and that country, 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 I am the beneficial owner or any withholding agent that can disburse or make payments of the income of which I am the beneficial owner. **I agree that I will submit a new form within 30 days if any certification made on this form becomes incorrect.**

A nyomtatványnak ez a része tulajdonképpen a nyilatkozati rész, melyben az adott természetes személy ügyfél vagy tényleges tulajdonos az alábbi nyilatkozatokat teszi:

1. Az adott ügyfél számláján lévő valamennyi tranzakciónak a nyilatkozatot tevő személy a tényleges tulajdonosa.
2. A nyilatkozatot tevő személy nem amerikai adóalany.
3. Az ügyfél számláján lévő tranzakciók nem USA adóköteles jövedelmek.

A nyilatkozaton szereplő utolsó két pont nem releváns a Bank ügyfélkörét tekintve.

### IV. Dátum és aláírás

Sign Here 

Signature of beneficial owner (or individual authorized to sign for beneficial owner)	Date (MM-DD-YYYY)
Print name of signer	Capacity in which acting (if form is not signed by beneficial owner)

A nyilatkozatot a nyilatkozattevőnek vagy azon személy meghatalmazottjának, akire maga a nyilatkozat vonatkozik, alá kell írnia. Ha nem maga az a személy írja alá, akire a nyilatkozat vonatkozik, ki kell írni nyomtatott betűvel is az aláíró személy nevét.

Az aláírás mellett **elengedhetetlen a nyilatkozat kitöltése dátumának feltüntetése**, ugyanis – ahogyan az a jelen kitöltési útmutató elején említésre került – ez a típusú nyilatkozat a kitöltést követően csak határozott ideig érvényes.

## Instructions for completing W-8BEN Form

Based on the Act XIX of 2014 on the promulgation of the Agreement between the Government of Hungary and the Government of the United States of America to Improve International Tax Compliance and to Implement FATCA and amending certain acts relating thereto (hereinafter: the FATCA Act), Erste Bank Hungary Zrt. (hereinafter: the Bank) is obliged the check the tax residence of its customers. In order to carry out a U.S. tax residency audit, all customers who enters into a contractual relationship with the Bank, have to make a written declaration of whether or not they are taxpayers of the United States in terms of tax residence.

W-8BEN Form is for **natural person** clients and for beneficial owners of legal entities / organizations who has **US indicia**. By completing this Form the natural person having US indicia **declares that he / she is not US tax payer**. A Form can be found here: <https://www.irs.gov/pub/irs-pdf/fw8ben.pdf>

**IMPORTANT!** Form W8-BEN is valid for a definite period, until 31 December of the third year following the year of completion!

Form <b>W-8BEN</b> (Rev. July 2017) Department of the Treasury Internal Revenue Service	<b>Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding and Reporting (Individuals)</b> ▶ For use by individuals. Entities must use Form W-8BEN-E. ▶ Go to <a href="https://www.irs.gov/FormW8BEN">www.irs.gov/FormW8BEN</a> for instructions and the latest information. ▶ Give this form to the withholding agent or payer. Do not send to the IRS.	OMB No. 1545-1621				
<b>Do NOT use this form if:</b> <ul style="list-style-type: none"> <li>• You are NOT an individual . . . . . W-8BEN-E</li> <li>• You are a U.S. citizen or other U.S. person, including a resident alien individual . . . . . W-9</li> <li>• You are a beneficial owner claiming that income is effectively connected with the conduct of trade or business within the U.S. (other than personal services) . . . . . W-8ECI</li> <li>• You are a beneficial owner who is receiving compensation for personal services performed in the United States . . . . . 8233 or W-4</li> <li>• You are a person acting as an intermediary . . . . . W-BIMY</li> </ul>						
<b>Note:</b> If you are resident in a FATCA partner jurisdiction (i.e., a Model 1 IGA jurisdiction with reciprocity), certain tax account information may be provided to your jurisdiction of residence.						
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City or town, state or province. Include postal code where appropriate.		Country				
4 Mailing address (if different from above)						
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5 U.S. taxpayer identification number (SSN or ITIN), if required (see instructions)	6 Foreign tax identifying number (see instructions)					
7 Reference number(s) (see instructions)	8 Date of birth (MM-DD-YYYY) (see instructions)					
<b>Part II Claim of Tax Treaty Benefits (for chapter 3 purposes only) (see instructions)</b>						
9 I certify that the beneficial owner is a resident of _____ within the meaning of the income tax treaty between the United States and that country.						
10 <b>Special rates and conditions</b> (if applicable – see instructions): The beneficial owner is claiming the provisions of Article and paragraph _____ of the treaty identified on line 9 above to claim a _____ % rate of withholding on (specify type of income): _____						
Explain the additional conditions in the Article and paragraph the beneficial owner meets to be eligible for the rate of withholding: _____						
<b>Part III Certification</b> 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:						
<ul style="list-style-type: none"> <li>• I am the individual that is the beneficial owner (or am authorized to sign for the individual that is the beneficial owner) of all the income to which this form relates or am using this form to document myself for chapter 4 purposes,</li> <li>• The person named on line 1 of this form is not a U.S. person,</li> <li>• The income to which this form relates is:                         <ul style="list-style-type: none"> <li>(a) not effectively connected with the conduct of a trade or business in the United States,</li> <li>(b) effectively connected but is not subject to tax under an applicable income tax treaty, or</li> <li>(c) the partner's share of a partnership's effectively connected income,</li> </ul> </li> <li>• The person named on line 1 of this form is a resident of the treaty country listed on line 9 of the form (if any) within the meaning of the income tax treaty between the United States and that country, and</li> <li>• For broker transactions or barter exchanges, the beneficial owner is an exempt foreign person as defined in the instructions.</li> </ul> Furthermore, I authorize this form to be provided to any withholding agent that has control, receipt, or custody of the income of which I am the beneficial owner or any withholding agent that can disburse or make payments of the income of which I am the beneficial owner. <b>I agree that I will submit a new form within 30 days if any certification made on this form becomes incorrect.</b>						
<b>Sign Here</b> ▶ <table style="width: 100%; border: none;"> <tr> <td style="border: none; width: 60%; text-align: center;"> <input style="width: 95%; height: 20px;" type="text"/>                      Signature of beneficial owner (or individual authorized to sign for beneficial owner)                 </td> <td style="border: none; width: 40%; text-align: center;"> <input style="width: 95%; height: 20px;" type="text"/>                      Date (MM-DD-YYYY)                 </td> </tr> <tr> <td style="border: none; text-align: center;"> <input style="width: 95%; height: 20px;" type="text"/>                      Print name of signer                 </td> <td style="border: none; text-align: center;"> <input style="width: 95%; height: 20px;" type="text"/>                      Capacity in which acting (if form is not signed by beneficial owner)                 </td> </tr> </table>			<input style="width: 95%; height: 20px;" type="text"/> Signature of beneficial owner (or individual authorized to sign for beneficial owner)	<input style="width: 95%; height: 20px;" type="text"/> Date (MM-DD-YYYY)	<input style="width: 95%; height: 20px;" type="text"/> Print name of signer	<input style="width: 95%; height: 20px;" type="text"/> Capacity in which acting (if form is not signed by beneficial owner)
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For Paperwork Reduction Act Notice, see separate instructions. <span style="float: right;">Cat. No. 25047Z Form <b>W-8BEN</b> (Rev. 7-2017)</span>						

**I. Particulars of the client**

Form <b>W-8BEN</b> (Rev. February 2014) Department of the Treasury Internal Revenue Service	<b>Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding and Reporting (Individuals)</b> ▶ For use by individuals. Entities must use Form W-8BEN-E. ▶ Information about Form W-8BEN and its separate instructions is at <a href="http://www.irs.gov/formw8ben">www.irs.gov/formw8ben</a> . ▶ Give this form to the withholding agent or payer. Do not send to the IRS.	OMB No. 1545-1621	
<b>Do NOT use this form if:</b>		<b>Instead, use Form:</b>	
<ul style="list-style-type: none"> <li>• You are NOT an individual . . . . . W-8BEN-E</li> <li>• You are a U.S. citizen or other U.S. person, including a resident alien individual . . . . . W-9</li> <li>• You are a beneficial owner claiming that income is effectively connected with the conduct of trade or business within the U.S. (other than personal services) . . . . . W-8ECI</li> <li>• You are a beneficial owner who is receiving compensation for personal services performed in the United States . . . . . 8233 or W-4</li> <li>• A person acting as an intermediary . . . . . W-8IMY</li> </ul>			
<b>Part I Identification of Beneficial Owner (see instructions)</b>			
1	Name of individual who is the beneficial owner	2	Country of citizenship
3	Permanent residence address (street, apt. or suite no., or rural route). <b>Do not use a P.O. box or in-care-of address.</b>		
	City or town, state or province. Include postal code where appropriate.		Country
4	Mailing address (if different from above)		
	City or town, state or province. Include postal code where appropriate.		Country
5	U.S. taxpayer identification number (SSN or ITIN), if required (see instructions)	6	Foreign tax identifying number (see instructions)
7	Reference number(s) (see instructions)	8	Date of birth (MM-DD-YYYY) (see instructions)

**Other fields should not be completed in case of natural person clients!**

**II. Declaration 1.**

This part of the Form **cannot be completed** by any of the Bank's customer, since the Bank is not a qualified intermediary (see US Tax Code).

<b>Part II Claim of Tax Treaty Benefits (for chapter 3 purposes only) (see instructions)</b>	
9	I certify that the beneficial owner is a resident of _____ within the meaning of the income tax treaty between the United States and that country.
10	<b>Special rates and conditions</b> (if applicable—see instructions): The beneficial owner is claiming the provisions of Article _____ of the treaty identified on line 9 above to claim a _____ % rate of withholding on (specify type of income): _____
	Explain the reasons the beneficial owner meets the terms of the treaty article: _____

**III. Declaration 2.**

In this part of the Form the natural person declares the followings:

- he /she is the beneficial owner of all transactions
- he /she is not US taxpayer
- the transactions are not taxable

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**Part III Certification**

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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:

- I am the individual that is the beneficial owner (or am authorized to sign for the individual that is the beneficial owner) of all the income to which this form relates or am using this form to document myself as an individual that is an owner or account holder of a foreign financial institution,
- The person named on line 1 of this form is not a U.S. person,
- The income to which this form relates is:
  - (a) not effectively connected with the conduct of a trade or business in the United States,
  - (b) effectively connected but is not subject to tax under an applicable income tax treaty, or
  - (c) the partner's share of a partnership's effectively connected income,
- The person named on line 1 of this form is a resident of the treaty country listed on line 9 of the form (if any) within the meaning of the income tax treaty between the United States and that country, 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 I am the beneficial owner or any withholding agent that can disburse or make payments of the income of which I am the beneficial owner. **I agree that I will submit a new form within 30 days if any certification made on this form becomes incorrect.**

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#### IV. Date and Signature

Sign Here 

Signature of beneficial owner (or individual authorized to sign for beneficial owner)	Date (MM-DD-YYYY)
Print name of signer	Capacity in which acting (if form is not signed by beneficial owner)

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The declaration shall be signed by the client or his / her mandatory. If it is not signed by the person to whom the declaration refers, the name of the signatory should also be indicated by capitals.

In addition, it is essential to **indicate the date of completion**, since this Form is valid for a specified time (see the beginning of this Introduction).