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	W-8BEN	Certificate of Foreign States Tax Withh	Status of Beneficial olding and Reporting			
(Rev. July 2017) ► For use by individuals. Entities must use Form W-8BEN-E. Go to www.irs.gov/FormW8BEN for instructions and the latest information.				OMB No. 1545-1621		
Departs Internal	ment of the Treasury Revenue Service		W8BEN for instructions and to thholding agent or payer. Do			
Do NO	OT use this form		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			Instead, use Form:
• You	are NOT an indi	vidual				W-8BEN-E
• You	are a U.S. citize	n or other U.S. person, including a reside	nt alien individual			W-9
	are a beneficial er than personal	owner claiming that income is effectively	connected with the conduct of		within the U.S.	W-8ECI
		owner who is receiving compensation for				8233 or W-4
		ting as an intermediary				W-8IMY
Note: provid	If you are reside led to your juriso	ent in a FATCA partner jurisdiction (i.e., a diction of residence.	Model 1 IGA jurisdiction with re	ciprocity), certain t	ax account info	ormation may be
Par	Identi	fication of Beneficial Owner (se	e instructions)			
1	Name of indivi	idual who is the beneficial owner		2 Country of ci	itizenship	
3	Darmanant res	sidence address (street, apt. or suite no.,	or sural soute). Do not use a P.) hov or in-care	of addrage	
٥	Fermanent res	source accress (street, apr. or suite no.,	or rural route). Do not use a P.0	o. box or in-care-	or address.	
	City or town, s	state or province. Include postal code wh	ere appropriate.		Country	
_	Melinondo	ss (if different from above)				
4	mailing addres	ss (ir different from above)				
_	City or town, s	state or province. Include postal code wh	ere appropriate.		Country	
5	U.S. taxpayer	identification number (SSN or ITIN), if rec	uired (see instructions)	6 Foreign tax i	dentifying num	ber (see instructions)
7	Reference nun	nber(s) (see instructions)	8 Date of birth (MM-DD-)	YYY) (see instruct	ions)	
Par		of Tax Treaty Benefits (for chap be beneficial owner is a resident of	iter 3 purposes only) (see	instructions)		
9	,	n the United States and that country.			within the me	aning of the income tax
10		and conditions (if applicable—see instru	actions): The beneficial owner is	claiming the provi	sions of Article	and paragraph
		of the treaty identified	on line 9 above to claim a	% rate of withhole	ding on (specif	y type of income):
	Explain the ad	Iditional conditions in the Article and para	graph the beneficial owner mee	ts to be eligible for	r the rate of wit	thholding
	Explain the da		graph the beneficial office from	is to be engine to	The face of the	
Part		ication				
certify	penaties of perjury under penalties of	y, I declare that I have examined the information perjury that:	on this form and to the best of my	knowledge and belief	f it is true, correc	t, and complete. I further
	I am the individu	ual that is the beneficial owner (or am authorize	d to sion for the individual that is the	beneficial owner of	all the income to	which this form relates or
	am using this fo	rm to document myself for chapter 4 purposes				
•		ned on line 1 of this form is not a U.S. person,				
•		which this form relates is: y connected with the conduct of a trade or bus	iness in the United States.			
		onnected but is not subject to tax under an app				
	(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.					
•		actions or barter exchanges, the beneficial own uthorize this form to be provided to any withho				m the beneficial owner or
	any withholding	agent that can disburse or make payments of ion made on this form becomes incorrect.				
Sign	Here					
	, -	Signature of beneficial owner (or individ	dual authorized to sign for beneficial	owner)	Date (MM-DD-YYYY)
	De	int name of signer		annelly in which	on Of form in cost o	igned by beneficial owner)

I. Az ügyfél adatai

Form W-8BE (Rev. February 2014)	States Tax Withi	n Status of Beneficial nolding and Reporting dividuals. Entities must use Form W	(Individuals)	ted	OMB No. 1545-1621
Department of the Trea Internal Revenue Service		N and its separate instructions is a withholding agent or payer. Do not		Bben.	
Do NOT use this f	rm if:				Instead, use Form:
You are NOT an i	dividual				W-8BEN-E
You are a U.S. cit	zen or other U.S. person, including a reside	ent alien individual			W-9
You are a benefic (other than person	al owner claiming that income is effectively al services)	connected with the conduct of	trade or business wit	thin the U.S.	W-8ECI
 You are a benefic 	al owner who is receiving compensation fo	r personal services performed in	the United States .		8233 or W-4
 A person acting a 	an intermediary				W-8IMY
Part I Idea	tification of Beneficial Owner (se	ee instructions)			
1 Name of in	vidual who is the beneficial owner		2 Country of citiz	enship	
3 Permanent	esidence address (street, apt. or suite no.,	or rural route). Do not use a P.C	D. box or in-care-of	address.	
City or tow	, state or province. Include postal code wh	ere appropriate.	(Country	
Maille a and					
4 Mailing add	ess (if different from above)				
City or tow	state or province. Include postal code wh	ere appropriate.	(Country	
5 U.S. taxpa	er identification number (SSN or ITIN), if re	quired (see instructions)	6 Foreign tax ide	ntifying numbe	er (see instructions)
7 Reference	umber(s) (see instructions)	8 Date of birth (MM-DD-Y	· 'YYY) (see instruction	ns)	

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.

Part	Claim of Tax Treaty Benefits (for a	chapter 3 purposes only) (see instruc	ctions)
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	Special rates and conditions (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 o	n (specify type of income):
	Explain the reasons the beneficial owner meets the	e 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 adókódexének 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



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 W-8B (Rev. July 2017)	States Tax Withh	n Status of Beneficial holding and Reporting riduals. Entities must use Form	(Individuals)	
Department of the Tr	ion.			
Internal Revenue Ser	S.			
You are NOT a				Instead, use Form: W-8BEN-E
	citizen or other U.S. person, including a reside	ent alien individual		
You are a bene	ficial owner claiming that income is effectively sonal services)			within the U.S
	ficial owner who is receiving compensation fo	r personal services performed in	the United States	
	on acting as an intermediary			W-8IMY
Note: If you are r provided to your	esident in a FATCA partner jurisdiction (i.e., a jurisdiction of residence.	Model 1 IGA jurisdiction with red	ciprocity), certain ta	ax account information may be
	entification of Beneficial Owner (se	e instructions)		
1 Name of	individual who is the beneficial owner		2 Country of cit	tizenship
3 Permane	nt residence address (street, apt. or suite no.,	or rural route). Do not use a P.0), box or in-care-o	of address.
City or to	wn, state or province. Include postal code wh	ere appropriate.		Country
4 Mailing a	ddress (if different from above)			
4 Mailing a	odress (if different from above)			
City or to	wn, state or province. Include postal code wh	ere appropriate.		Country
5 U.S. taxp	payer identification number (SSN or ITIN), if rec	quired (see instructions)	6 Foreign tax id	dentifying number (see instructions)
7 Referenc	e number(s) (see instructions)	8 Date of birth (MM-DD-Y	YYY) (see instruction	ons)
	,		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
	aim of Tax Treaty Benefits (for char	pter 3 purposes only) (see	instructions)	
	hat the beneficial owner is a resident of			within the meaning of the income tax
	tween the United States and that country. rates and conditions (if applicable—see instr	uctions): The beneficial owner is	claiming the provis	sions of Article and paragraph
		on line 9 above to claim a		ding on (specify type of income):
				-
Explain t	he additional conditions in the Article and para	agraph the beneficial owner mee	ts to be eligible for	the rate of withholding:
Part III Co	ertification			
Under penalties of certify under penalt	perjury, I declare that I have examined the information ies of perjury that:	n on this form and to the best of my	knowledge and belief	it is true, correct, and complete. I further
	dividual that is the beneficial owner (or am authorize this form to document myself for chapter 4 purposes		beneficial owner) of a	all the income to which this form relates or
	n named on line 1 of this form is not a U.S. person,			
	e to which this form relates is:			
	ctively connected with the conduct of a trade or bus rely connected but is not subject to tax under an app			
	ery connected but is not subject to tax under an app tner's share of a partnership's effectively connected			
The perso	n named on line 1 of this form is a resident of the tre		n (if any) within the m	eaning of the income tax treaty between
the United	States and that country, and			
	transactions or barter exchanges, the beneficial ow			
any withh	re, I authorize this form to be provided to any withholding agent that can disburse or make payments of lification made on this form becomes incorrect.	yung agent that has control, receipt, the income of which I am the benefic	ial owner. I agree tha	ome of which I am the beneficial owner or at I will submit a new form within 30 days
Sign Here)			
'	Signature of beneficial owner (or individual	dual authorized to sign for beneficial	owner)	Date (MM-DD-YYYY)
	Print name of signer			g (if form is not signed by beneficial owner)

I. Particulars of the client

Form	V-8BEN	Certificate of Foreign States Tax Withho	Status of Beneficial olding and Reporting				
(Rev. Feb	ruary 2014)	ry 2014) ► For use by individuals. Entities must use Form W-8BEN-E.					
Departmer Internal Re	partment of the Treasury and Revenue Service Information about Form W-3BEN and its separate instructions is at www.irs.gov/formw8ben. Give this form to the withholding agent or payer. Do not send to the IRS.						
Do NOT	use this form i	f:				Instead, use Form:	
• You ar	e NOT an indivi	dual				W-8BEN-E	
• You ar	e a U.S. citizen	or other U.S. person, including a residen	t alien individual			W-9	
		wner claiming that income is effectively c ervices)			vithin the U.S.	W-8ECI	
• You ar	e a beneficial ov	wner who is receiving compensation for p	personal services performed in	the United States		8233 or W-4	
• A pers	on acting as an	intermediary				W-8IMY	
Part	Identific	cation of Beneficial Owner (see	instructions)	_		_	
1 1	1 Name of individual who is the beneficial owner 2 Country of citizenship						
3	Permanent resid	lence address (street, apt. or suite no., or	rrural route). Do not use a P.0). box or in-care-o	of address.		
(City or town, sta	te or province. Include postal code wher	e appropriate.		Country		
4 1	Mailing address	(if different from above)		·			
(City or town, sta	ite or province. Include postal code wher	e appropriate.		Country		
5	U.S. taxpayer id	entification number (SSN or ITIN), if requ	ired (see instructions)	6 Foreign tax io	lentifying num	ber (see instructions)	
7 F	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. <u>Declaration 1.</u>

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).

Part	Claim of Tax Treaty Benefits (for o	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	Special rates and conditions (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	e terms of the treaty article:

III. <u>Declaration 2.</u>

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

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.

IV. Date and Signature



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).