

# FATCA

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## 1. What is FATCA?

FATCA – The Foreign Account Tax Compliance Act - is a piece of legislation introduced by the United States (US) Department of the Treasury and Internal Revenue Service (IRS).

## 2. What date does HSBC become FATCA compliant?

HSBC is committed to becoming fully FATCA compliant in all countries where we operate by 30 June 2014.

## 3. Is FATCA only applicable to HSBC?

FATCA is a piece of US legislation aimed at all financial institutions and other financial intermediaries globally however their approach to adopting FATCA may differ.

## 4. What is FATCA meant to do?

FATCA seeks to prevent US persons from using non-US accounts and non-US businesses to avoid US taxation on their income and assets.

## 5. Under FATCA, what is an Inter-governmental agreement (IGA)?

The UK signed an Inter-Government Agreement (IGA) in September 2012. This is a 'UK-US Agreement to Improve International Tax Compliance and to Implement FATCA' with UK regulations and guidance notes provided in the UK by HM Revenue & Customs.

This means that HSBC will share information about the accounts and finances of US Persons with the IRS, via HM Revenue & Customs.

## 6. Does FATCA apply to new accounts or just existing customers?

FATCA applies to all HSBC Group customers, new and existing, rather than the type of account and/or policy held.

## 7. Where can I find information about FATCA?

You can find information about FATCA on the IRS website ([www.irs.gov/FATCA](http://www.irs.gov/FATCA)) or visit [www.fatca.hsbc.com](http://www.fatca.hsbc.com).

## 8. What are Forms W-8BEN and W-9 under FATCA?

These are US tax forms which allow an account holder to make a declaration of their status either as a US person (Form W-9) or as a non-US person (Form W-8BEN). More information can be found on the IRS website above.

## 9. I'm a US person living outside of the US. What are my obligations under FATCA?

You can find information about the documents you need to provide us with in the accompanying letter. If you want more detailed information on FATCA, please visit the IRS website or consult a professional tax adviser.

## 10. I'm not a US person. Why do I need to send in documents under FATCA?

There are certain items of information that may suggest a US status for an individual or business. They are:

- US citizenship or US residence
- US place of birth
- US tax residency
- US residence address or US mailing address including US PO boxes
- Current US telephone number
- Standing order instructions to a US address or an account maintained in the US
- Current Power of Attorney or signatory authority granted to a person with a US address
- In Care of or Hold mail address which is the sole address for the account holder

## 11. When do I need to provide you with the documents you've asked for?

This will vary according to your classification or the type of account/policy you own. Please refer to the letter we've sent you, which will confirm when you need to provide us with the documents we've asked for.

## 12. Who will you share my information with?

The UK has signed an Inter-Government Agreement (IGA) meaning that HSBC must share information with HM Revenue & Customs. HM Revenue & Customs will submit your information to the IRS.

## 13. What will happen if I do not return the documents I have been asked for under FATCA?

If you don't provide us with the forms, documents and signed acknowledgment slip within the stated timeframe, we will consider you to be a US person reportable to HM Revenue & Customs until you return the documentation. This may mean we will report your accounts and/or policies to HM Revenue & Customs who will send the information to the IRS. Failure to provide us with the forms, documents and signed acknowledgment slip may also prevent us from opening new accounts and/or policies for you and result in the possible closure of existing accounts.

## 14. I do not have access to the internet and/or a printer, how do I access the IRS forms that I need?

Please visit your local branch and a member of our team will be happy to help.

## 15. How do I get the forms and documents to you?

Please bring the documents we've asked for, along with the signed acknowledgement slip at the end of your letter, to your local branch.

Please **do not post** your documents to us.