

FATCA Document Glossary

1. List of Documents

Document Name	Short Code	Full Tax Description
IRS Form W-9	W9	Form W-9 is a request for Tax Payer Identification Number and Certification
IRS Form W8-BEN	W8	Form W-8BEN, Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding
Government Issued ID	S1	Other form of government issued documentation establishing non-US citizenship, such as a non-US passport or other government issued identification evidencing citizenship in a country other than the US In case of customer with US Indicia (and not Indian national), only the passport would be acceptable as individual government ID
Explanation of Non-US Citizenship	S2	Copy of Individual Certification of Loss of Nationality
Written Explanation of US Address/Phone	S3	If you have a US address and/or US phone number, please download and complete 'Explanation of US Address/Phone Number' form from the India page hosted under the Personal Customers section of www.fatca.hsbc.com
Documentary Evidence of Non-US Status	S4	<ul style="list-style-type: none">• Acceptable documentary evidence that contains an individual's permanent residence address or indicates the country of residency or citizenship (provided there is a permanent residence address on file) –• Certificate of residence: Issued by appropriate tax official that indicates the person has filed their most recent income tax return as a resident• Government ID : Valid ID, issued and authorised by a government body, that is typically used for identification purposes
Written Explanation of US Country of Birth	S8	Written explanation for any individual that has a Country of Birth of US found on their profile. This is a reasonable explanation of the citizenship renunciation, or the reason the accountholder did not receive US Citizenship at birth



2. List of terms

Foreign Financial Institution (FFI)

FFI is the abbreviation for Foreign Financial Institution. It refers to a non-US financial institution. The FATCA legislation contains an extensive definition of FFI and includes entities such as banks, custodian institutions, investment funds and certain types of insurance companies.

IRS forms

Withholding certificates, also referred to as W-forms, are US IRS tax forms.

Form W-9 is a request for Taxpayer Identification Number and Certification. This US Tax Form is provided by an account holder to confirm and certify their US status. The W-8 series forms are currently used by foreign persons (including corporations) to certify their non-US status. The form establishes that one is a non-resident alien or foreign corporation, to avoid or reduce tax withholding from US source income. These forms will permit a non-US customer to self-certify their status under FATCA.

Inter-Governmental Agreement (IGA)

An IGA is an agreement between the United States of America and specific countries to build FATCA compliance into the country's legal framework so that the country can implement FATCA. An IGA will require financial institutions to provide the information on US accounts which they hold either:

- Directly to the IRS, or
- To the local tax authority of the resident country

Internal Revenue Service (IRS)

The IRS is the United States government agency responsible for tax collection and tax law enforcement.

Non-Financial Foreign Entity (NFFE)

A NFFE is a non-US incorporated/established entity that does not meet the definition of Foreign Financial Institution (FFI) and includes:

- Listed or privately held operating or trading businesses
- Professional service firms
- Certain entities with a passive (ie not an operating/trading business)
- Charitable organisations

Tax Identification Number (TIN)

A US IRS specific term: Tax Identification Number

For an individual, this would be their US social security number; for an entity, their employer identification number.

US Person (USP)

The term 'United States Person' means:

- A citizen or resident of the United States
- A partnership created or organised in the United States or under the law of the United States or of any State, or the District of Columbia
- A corporation created or organised in the United States or under the law of the United States or of any State, or the District of Columbia
- Any estate or trust other than a foreign estate or foreign trust. (See Internal Revenue Code Section 7701(a) (31) for the definition of a foreign estate and a foreign trust.)
- A person who meets the substantial presence test
- Any other person who is not a foreign person



US Citizen

The term 'United States Citizen' means:

- An individual born in the United States
- An individual whose parent is a US citizen
- A former alien who has been naturalised as a US citizen
- An individual born in Puerto Rico
- An individual born in Guam, or
- An individual born in the US Virgin Islands

Withholding tax

A 30% withholding tax applies under FATCA on 'withholdable payments' in respect of Non-Participating Foreign Financial Institution.

The term withholdable payment means:

- Fixed or Determinable, Annual or Periodical (FDAP) income, if such payment is from sources within the United States of America – this will include any payment of interest and dividends from sources within the US. This will apply from 1 July 2014
- Any gross proceeds from the sale or other disposition of any property of a type which can produce interest or dividends from sources within the US. This will apply from 1 January 2017

Various exceptions apply, including for income connected with a US business.

