

SUBSTITUTE
Form **W-8BEN**

U.S. Bank Nat'l Assoc. (07/2017)
U.S. Bank Branch # _____
OMB No. 1545-1621

**Certificate of Foreign Status of Beneficial Owner
for United States Tax Withholding**

>Section references are to the Internal Revenue Code. See instructions below and on back.
>Provide this form to U.S. Bank. Do not send to the IRS.
>The person whose name is listed on line 1 must sign the certification.
>**For use by individuals. Entities must use Form W-8BEN-E.**
>**Resident aliens should not use this form but should complete Form W-9.**

Lines with
**Bold print
titles** must be
completed.

Part I Identification of Beneficial Owner (see instructions)

1 Name of individual who is the beneficial owner (1 name per form) _____ **2 Country of citizenship** _____

3 Permanent residence address (street, apt. no., or rural route). Do not use a P.O. Box or in-care-of address.

City or town, state or province. Include postal code where appropriate. _____ **Country** _____

4 Mailing address (if different from above) (**Complete Part II if mailing address is in the U.S.**)

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 (TIN) if issued by your country** (see instructions) _____

7 Account number(s) _____ **Explanation if foreign TIN is not provided (e.g. not legally required)**

8 Date of birth (see instructions)
Month (MM) _____ Day (DD) _____ Year (YYYY) _____

Part II Additional Documentation for Customers Providing Mailing Addresses, or Telephone Number in the United States without providing a foreign telephone number

1. Additional documentary evidence of foreign status: Provide U.S. Bank with a copy of an official document showing your name and address in the country listed on line 3 (if providing a passport, the address rule does not apply). Please check the box below that identifies the type of document you are furnishing. (**Attach photocopy of ID to this form.**)

- Foreign Passport Type/Class A, B, F, G, I, J, M, and Q Visa Non-U.S. Driver's License Voter Registration Card
 National Foreign ID Card

2. Checklist OR written statement supporting foreign status: You must complete the attached checklist OR written statement to provide U.S. Bank with the reason you are using a U.S. address, and/or U.S. telephone number without providing a foreign telephone number in connection with your account(s).

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.**

Sign Here > _____ **Signature of beneficial owner (or individual authorized to sign for beneficial owner)** _____ **Date** _____

Print name of signer _____ **Capacity in which acting (if form is not signed by beneficial owner)** _____
POA – copy of authorization must be attached

COMPLETE EITHER THE CHECKLIST OR THE WRITTEN STATEMENT

Checklist Supporting Foreign Status - Section A or B

Complete Section A or B if applicable when section A or B cannot be completed the Written Statement Supporting Foreign Status must be completed

Section A: Specific Visa Status

I am (Select one):

- for Canadian students only - a student at a U.S. educational institution and holds an I-94 record confirming admission to the U. S. or an "F", "J", "M", or "Q" visa;
- for Canadian students only - a teacher, trainee, or intern at a U.S. educational institution or a participant in an educational or cultural exchange visitor program and holds an I-94 record confirming admission to the U. S. with an "J" or "Q" status;
- a student at a U.S. educational institution and hold an "F", "J", "M", or "Q" visa;
- a teacher, trainee, or intern at a U.S. educational institution or a participant in an educational or cultural exchange visitor program and hold an "J" or "Q" visa;
- a foreign individual assigned to a diplomatic post or a position in a consulate, embassy, or international organization in the U.S.; or
- a spouse or unmarried child under the age of 21 years of one of the persons described above in section A.

Section B: Substantial Presence Test

You will be considered a U. S. resident for tax purposes if you meet the substantial presence test for the calendar year.

I do not meet the substantial presence test because I have been in the United States:

_____ days in the current calendar year
_____ days in the prior calendar year
_____ days in the initial year (2 years prior)

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

Sign Here >

Signature of beneficial owner (or individual authorized to sign)

Date

Print name of signer

Written Statement Supporting Foreign Status (Do not complete checklist)

I am a foreign person despite providing U.S. indicia (U.S. address, U.S. telephone number without providing a foreign telephone number, etc.) in relation to my account for the following reason: _____

Under penalties of perjury, I declare that I have examined the information on this written statement and to the best of my knowledge and belief it is true, correct, and complete.

Sign Here >

Signature of beneficial owner (or individual authorized to sign)

Date

Print name of signer

Form W-8BEN Instructions – Individuals Only

Purpose of Form:

Foreign persons may be subject to U.S. tax on income received from U.S. sources. Certain types of income are exempt from this tax if received by non U.S. persons and are exempt from domestic information reporting and backup withholding, including:

- Bank deposit interest.
- Broker proceeds.
- Short-term (183 days or less) original issue discount.
- Foreign source interest, dividends, rents or royalties.

A non U.S. person must establish his/her foreign status with a U.S. payer. Each foreign recipient of exempt income must certify his/her status by providing a completed Form W-8BEN. A withholding agent or payer of the income may rely on a properly completed Form W-8BEN to treat a payment associated with the Form W-8BEN as a payment to a foreign person who beneficially owns the amounts paid. Provide Form W-8BEN to the withholding agent or payer before income is paid or credited to you. Failure to provide a complete and valid Form W-8BEN when requested may lead to 28% federal tax being withheld from the payment. Use Form W-8BEN if you are a foreign person and you are the **beneficial owner** of income that is subject to U.S. tax (or would have been subject if the income was not exempt).

The **beneficial owner** of income is generally the person who is required under U.S. tax principles to include the income in gross income on a tax return. A person is not a beneficial owner of income, however, 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 was 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 to a foreign partnership are generally the partners in the partnership, provided 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 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 a foreign grantor trust (a foreign trust where all or portion of the income of the trust is treated as owned by the grantor) are the persons treated as the owners of the trust. The beneficial owners of income paid to a foreign complex trust is the trust itself. The beneficial owner of income paid to a foreign estate is the estate itself.

DO NOT USE THIS Form W-8BEN if:

- You are **NOT an individual**. Instead, provide Form W-8BEN-E, W-8IMY, W-8ECI, or W-8EXP as appropriate.
- You are a **U.S. citizen**. Instead, provide Form W-9.
- You are not a U.S. citizen but are considered a **resident alien for U.S. tax purposes** or are considered a **U.S. resident** for tax purposes due to **meeting** the “substantial presence test.” Instead, provide Form W-9. Assistance in determining your status should be obtained from a tax advisor, the Internal Revenue Service (IRS) or INS. See IRS Publication 519, U.S. Tax Guide for Aliens.
- You are claiming tax treaty benefits or receiving income from certain notional principal contracts. Do not use this substitute Form W-8BEN. Instead, provide the official IRS version of Form W-8BEN.
- You are a non U.S. person but are receiving income that is effectively connected with the conduct of a trade or business in the U.S. (other than personal services). Instead, provide Form W-8ECI.
- You are a **beneficial owner who is receiving compensation for personal services performed in the United States**. Instead, provide Form 8233.
- You are a person acting as an intermediary on behalf of the actual owner(s) of the income, a foreign partnership or foreign simple or grantor trust. Instead, provide Form W-8IMY.

Giving Form W-8BEN to U.S. Bank

U.S. Bank may require a separate Form W-8BEN for each account on which you are listed as an owner. In addition, **IRS rules require that all foreign persons listed as an owner of an account provide a separate Form W-8BEN or other W-8 form in order for interest paid on the account to be considered exempt from withholding.** It is very important that you complete and return all Forms W-8BEN that you receive from U.S. Bank. Do not send Form W-8BEN to the IRS.

Foreign and U.S. person co-owners

IRS rules require all owners of an account provide a separate W-9 or W-8 form in order for the interest paid on the account to be considered exempt from withholding. A U.S. citizen or other U.S. person must provide a taxpayer identification number on **Form W-9** and all interest paid on the account will be subject to reporting on Form 1099-INT. **NOTE:** U.S. Bank must treat any person whose name is shown in an account’s legal title as an owner, even if the account belongs entirely to another person. A person who is designated as a power of attorney (POA) for the owner of the account

is not considered an owner and is not required to provide either a Form W-8BEN or Form W-9. A copy of the POA must accompany Form W-8BEN or be on file with U.S. Bank. The POA must authorize the agent to sign U.S. tax documents on the owner’s behalf.

Expiration of Form W-8BEN

Generally, Form W-8BEN will be valid for starting the date the form is submitted and ending on the last day of the third succeeding calendar year, unless a change in circumstances makes any information on the form incorrect. To maintain the withholding exemption U.S. Bank must receive a new Form W-8BEN before the current form expires. **In addition, you must notify U.S. Bank within 30 days of the occurrence of any event that causes you not to be eligible for the withholding exemption provided by this form.**

Specific Instructions

Line 1 - Enter your name. Only one name can be provided on a single form. If an account has more than one owner, each owner must provide a separate W-9 or W-8 form. An owner who is a U.S. citizen or other U.S. person cannot submit Form W-8BEN.

Line 2 - Enter your country of citizenship. If you are a dual citizen, enter the country where you are both a citizen and a resident at the time you complete this form. If you are not a resident in any country in which you have citizenship, enter the country where you were most recently a resident. However, if you are a United States citizen, you should not complete this form even if you hold citizenship in another jurisdiction. Instead, provide Form W-9.

Line 3 - Your permanent residence address is the address in the country where you claim to be a resident for that country’s income tax. **Do not** show the address of a financial institution, a post office box (P.O. Box), or an address used solely for mailing purposes. If you do not have a tax residence in any country, your permanent residence is where you normally reside.

Listing a U.S. address as your permanent address disqualifies the form and U.S. Bank may not treat the account as exempt from withholding.

Line 4 - Enter your mailing address only if it is different than the address listed on Line 3.

Line 5 - A U.S. taxpayer identification number for an individual may be a social security number (SSN) or an individual taxpayer identification number (ITIN).

Line 6 - Provide the tax identifying number (TIN) issued to you by your jurisdiction of tax residence unless:

- You have not been issued a TIN by the jurisdiction (including if the jurisdiction does not issue TINs), or
- You are a resident of a U.S. possession.

If a foreign TIN is not provided on line 6, a reasonable explanation for its absence must be provided. For this purpose, an explanation is a statement that you are not legally required to obtain a TIN in your jurisdiction of tax residence. The explanation may be written on line 6, in the margins of the form or on a separate, attached statement associated with the form. If you are writing the explanation on line 6, you may shorten it to “not legally required.” Do not write “not applicable.”

Line 7 - U.S. Bank may have listed the account(s), which will be covered by this form. Since U.S. Bank may mail more than 1 form for each customer, please complete and return to U.S. Bank all Forms W-8BEN that it mails to you.

Line 8 – It is required that you provide your date of birth. Use the following format to input your information MM-DD-YYYY. For example, if you were born on April 15, 1956, you would enter 04-15-1956.

Who May Sign the Certification?

IRS rules determine who may sign this certification. Generally, only the individual whose name is listed on line 1 (the beneficial owner) is permitted to certify his or her foreign status. A person holding a power of attorney may certify on behalf of the person for whom they are representing. A copy of the power of attorney must be provided with this form unless a copy was previously provided to the bank. The power of attorney must specifically authorize the agent to represent the principal in making, executing and presenting the form.

If any information on your Form W-8BEN becomes incorrect, you must submit a new form within 30 days to U.S. Bank.

Income from transactions with a broker or barter exchange is subject to reporting rules and backup withholding unless Form W-8BEN 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 nonresident alien individual or a foreign corporation, partnership, estate or trust;
- An individual who has not been, and does not plan to be, present in the U.S. for a total of 183 days or more during the calendar year; and
- 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.

PLEASE SEE OFFICIAL IRS INSTRUCTIONS FOR FORM W-8BEN FOR MORE INFORMATION.