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 Befektetési Zrt. (továbbiakban: Társaság) 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-8BI		ign Status of Beneficial				
States Tax Withholding and Reporting (Individuals) For use by individuals. Entities must use Form W-8BEN-E.			,	OMB No. 1545-1621			
Department of the Treasury Internal Revenue Service Go to www.irs.gov/FormW8BEN for instructions and the latest information. Give this form to the withholding agent or payer, Do not send to the IRS.							
	OT use this f		ne withholding agent or payer. Do	not send to the IF	is.	Instead, use Form	
	are NOT an i					W-8BEN-E	
		tizen or other U.S. person, including a re				W-6	
• You	are a benefic	cial owner claiming that income is effect	ively connected with the conduct o	f trade or business	within the U.S.		
(oth	er than perso	onal services)				W-8EC	
		cial owner who is receiving compensation acting as an intermediary		n the United States		8233 or W-4	
Note: provid	if you are res led to your ju	sident in a FATCA partner jurisdiction (i.e risdiction of residence.	e., a Model 1 IGA jurisdiction with re	eciprocity), certain t	ax account into	ormation may be	
Par	Ide	ntification of Beneficial Owner	(see instructions)				
1	Name of in	dividual who is the beneficial owner	,	2 Country of o	itizenship		
3	D	anddone odden (dead as	no es essel esselo De est : D	0 5	-6 -44		
3	rermanent	residence address (street, apt. or suite	no., or rural route). Do not use a P.	.U. BOX OF IN-Care-	or docress.		
	City or tow	m, state or province. Include postal code	where appropriate.		Country		
4	Mailing add	dress (if different from above)					
	City or tow	n, state or province. Include postal code	e where appropriate.		Country		
5	U.S. taxpa	yer identification number (SSN or ITIN),	if required (see instructions)	6 Foreign tax i	dentifying num	ber (see instructions)	
7	D-f	and a fel for a last and and	8 Date of birth (MM-DD-	10000 /			
-	Helerence	number(s) (see instructions)	Date of birth (MM-DD-	1111) (see instruct	ions)		
Par	Cla	im of Tax Treaty Benefits (for o	chapter 3 purposes only) (se	e instructions)			
9	,	at the beneficial owner is a resident of			within the me	aning of the income tax	
10		veen the United States and that country.		s claiming the provi	sions of Article	and paragraph	
	-	Special rates and conditions (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 me	ets to be eligible fo	r the rate of wi	thholding:	
Part	III Cer	tification					
		rjury, I declare that I have examined the inform s of perjury that:	nation on this form and to the best of m	y knowledge and belie	f it is true, correc	t, and complete. I further	
cu my							
•		ividual that is the beneficial owner (or am auth is form to document myself for chapter 4 purp		e beneficial owner) of	all the income to	which this form relates or	
		named on line 1 of this form is not a U.S. pers					
•		to which this form relates is:					
		tively connected with the conduct of a trade or by connected but is not subject to tax under an					
		y connected but is not subject to tax under ar er's share of a partnership's effectively conne					
	The person	named on line 1 of this form is a resident of th		rm (if any) within the n	neaning of the inc	come tax treaty between	
	the United S	States and that country, and	,				
•		ransactions or barter exchanges, the beneficia b. I authorize this form to be provided to any w				on the beneficial ourses	
	any withhold	 I authorize this form to be provided to any widing agent that can disburse or make paymentication made on this form becomes incorre 	ts of the income of which I am the benef				
Sign	Here						
	,	Signature of beneficial owner (or in	ndividual authorized to sign for beneficia	l owner)	Date (MM-DD-YYYY)	
		Print name of signer				signed by beneficial owner)	

I. Az ügyfél adatai

Form W-8BEN (Rev. February 2014)	States Tax Withho	olding and Reporting	(Individuals)	OMB No. 1545-1621	
Department of the Treasury Internal Revenue Service	► Information about Form W-8BEN	viduals. Entities must use Form W I and its separate instructions is a vithholding agent or payer. Do not	t www.irs.gov/formw8ben.	OMB NO. 1545-1621	
Do NOT use this form	if:			Instead, use Form:	
You are NOT an indiv	idual			W-8BEN-E	
You are a U.S. citizen	or other U.S. person, including a resider	nt alien individual		W-9	
	wner claiming that income is effectively of services)	connected with the conduct of t	rade or business within the	e U.S. W-8ECI	
 You are a beneficial of 	wner who is receiving compensation for	personal services performed in	the United States	8233 or W-4	
 A person acting as ar 	intermediary			W-8IMY	
Part I Identifi	cation of Beneficial Owner (see	e instructions)			
1 Name of individ	ual who is the beneficial owner		2 Country of citizenship)	
3 Permanent resi	dence address (street, apt. or suite no., o	or rural route). Do not use a P.C). box or in-care-of addre	SS.	
City or town, st	ate or province. Include postal code whe	re appropriate.	Countr	у	
4 Mailing address	(if different from above)				
City or town, st	ate or province. Include postal code whe	re appropriate.	Countr	у	
5 U.S. taxpayer in	dentification number (SSN or ITIN), if requ	uired (see instructions)	6 Foreign tax identifying	g number (see instructions)	
7 Reference num	ber(s) (see instructions)	8 Date of birth (MM-DD-Y	YYY) (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.

Part	Part II Claim of Tax Treaty Benefits (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	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 terms of the treaty article:						

A W-8BEN nyomtatvány fenti részét **nem kell kitöltenie** a Társaság egyetlen ügyfelének sem. Ez a rész kitöltés nélkül áthúzható. Azért mellőzhető a kitöltés, mert a Társaság 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 Társaság 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 Befektetési Zrt. (hereinafter: the Company) 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 Company, 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!

(Day by	W-8BEN		olding and Reporting	(Individuals	
(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.					
Internal Revenue Service Give this form to the withholding agent or payer. Do not send to the IRS.					
Do NO	T use this form if:				Instead, use Form:
	are NOT an individua				W-8BEN-E
		other U.S. person, including a residen			W-9
(othe	r than personal serv				W-8ECI
	are a beneficial owners are a person acting a	er who is receiving compensation for	personal services performed in	the United States	
Note: I	f you are resident in	a FATCA partner jurisdiction (i.e., a M	fodel 1 IGA jurisdiction with re-	iprocity), certain t	
	ed to your jurisdictio		:tti\		
Part		tion of Beneficial Owner (see who is the beneficial owner	mistructions)	2 Country of c	tizenship
	or marvada	June desired de l'inter		_ coamy or c	
3	Permanent residen	ce address (street, apt. or suite no., o	r rural route). Do not use a P.0). box or in-care-	of address.
	03				0
	City or town, state	or province. Include postal code whe	re appropriate.		Country
4	Mailing address (if	different from above)			
	City or town, state	or province. Include postal code whe	re appropriate.		Country
5	U.S. taxpayer ident	tification number (SSN or ITIN), if requ	uired (see instructions)	6 Foreign tax i	dentifying number (see instructions)
7	Reference number	is) (see instructions)	8 Date of birth (MM-DD-Y	YYY) (see instruct	ions)
		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	,
Part	Claim of 1	Tax Treaty Benefits (for chap	ter 3 purposes only) (see	instructions)	
9		neficial owner is a resident of			within the meaning of the income tax
10		United States and that country. conditions (if applicable—see instru	ctions): The beneficial owner is	claiming the provi	eione of Article and paragraph
	opecial rates and		n line 9 above to claim a		ding on (specify type of income):
	Explain the addition	nal conditions in the Article and parag	graph the beneficial owner mee	ts to be eligible for	r the rate of withholding:
Part		ion clare that I have examined the information	and this form and to the best of according	handed and belle	District control and consists 14 albert
certify u	enaties of perjury, I de nder penalties of perju	clare that I have examined the information ry that:	on this form and to the best of my	knowledge and belie	rit is true, correct, and complete. I further
		at is the beneficial owner (or am authorized document myself for chapter 4 purposes,	to sign for the individual that is the	beneficial owner) of	all the income to which this form relates or
•		line 1 of this form is not a U.S. person,			
:	The income to which				
:			and to the Delter Office		
:	to the second second	nected with the conduct of a trade or busing ted but is not subject to tax under an applic			
:	(b) effectively connect	nected with the conduct of a trade or busing ted but is not subject to tax under an applie of a partnership's effectively connected in	cable income tax treaty, or		
:	(b) effectively connect (c) the partner's share The person named or	ted but is not subject to tax under an appli of a partnership's effectively connected in tine 1 of this form is a resident of the treat	cable income tax treaty, or come,	n (if any) within the m	nearing of the income tax treaty between
:	(b) effectively connect (c) the partner's share The person named or the United States and	ted but is not subject to tax under an appli of a partnership's effectively connected in tine 1 of this form is a resident of the treat	cable income tax treaty, or scome, ty country listed on line 9 of the for	, , , ,	
:	(b) effectively connect (c) the partner's share The person named or the United States and For broker transaction Furthermore, I author any withholding agen	ted but is not subject to tax under an appli of a partnership's effectively connected in in lar of this form is a sesident of the treat if that country, and the treat ons or barter exchanges, the beneficial own to this form to be provided to any withhold that can disburse or make payments of the	cable income tax treaty, or icome, by country listed on line 9 of the for or is an exempt foreign person as d fing agent that has control, receipt,	efined in the instructi	
Sign	(b) effectively connected, the partner's share. The person named or the United States and For broker transaction. Furthermore, I author any withholding again if any certification m	ted but is not subject to tax under an applis of a partnership's effectively connected in hine 1 of this form is a resident of the treat that country, and ns or barter exchanges, the beneficial own- ize this form to be provided to any withhold	cable income tax treaty, or icome, by country listed on line 9 of the for or is an exempt foreign person as d fing agent that has control, receipt,	efined in the instructi	ons. come of which I am the beneficial owner or
Sign	(b) effectively connected, the partner's share. The person named or the United States and For broker transaction. Furthermore, I author any withholding again if any certification m	ted but is not subject to tax under an appli- or a partnership's effectively connected in the country, and is a resident of the but that country, and is or barter exchanges, the beneficial own is or barter exchanges, the beneficial own ize this form to be provided to any withhold that can disburse or make payments of the adde on this form becomes incorrect.	cable income tax treaty, or come, by country listed on line 9 of the form or is an exempt foreign person as di diing agent that has control, receipt, e income of which I am the benefic	efined in the instructi or custody of the inc ial owner. I agree th	ions. I am the beneficial owner or at 1 will submit a new form within 30 days
Sign	(b) effectively connected, the partner's share. The person named or the United States and For broker transaction. Furthermore, I author any withholding again if any certification m	ted but is not subject to tax under an appli of a partnership's effectively connected in in lar of this form is a sesident of the treat if that country, and the treat ons or barter exchanges, the beneficial own to this form to be provided to any withhold that can disburse or make payments of the	cable income tax treaty, or come, by country listed on line 9 of the form or is an exempt foreign person as di diing agent that has control, receipt, e income of which I am the benefic	efined in the instructi or custody of the inc ial owner. I agree th	ons. come of which I am the beneficial owner or

I. Particulars of the client

Form	N-8BEN	Certificate of Foreign States Tax Withho	Status of Beneficial olding and Reporting			
(Rev. February 2014) ► For use by individuals. Entities must use Form W-6BEN-E.						OMB No. 1545-1621
Departme Internal R						
Do NO	use this form	f:				Instead, use Form:
• You a	re NOT an indivi	dual				W-8BEN-E
• You a	re 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)			rithin the U.S.	W-8ECI
• You a	re a beneficial ov	wner who is receiving compensation for p	personal services performed in	the United States		8233 or W-4
• A pers	son acting as an	intermediary				W-8IMY
Part	Identific	cation of Beneficial Owner (see	instructions)	_		_
1	Name of individu	ual who is the beneficial owner	·	2 Country of cit	izenship	
3	Permanent resid	lence address (street, apt. or suite no., or	r rural route). Do not use a P.0	D. box or in-care-o	f address.	
	City or town, sta	te or province. Include postal code wher	e appropriate.		Country	
4	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 id	entifying num	ber (see instructions)
7	Reference numb	per(s) (see instructions)	8 Date of birth (MM-DD-Y	YYY) (see instruction	ons)	

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 Company's customer, since the Company is not a qualified intermediary (see US Tax Code).

Part	Claim of Tax Treaty Benefits (for a	chapter 3 purposes only) (see instructions)			
0	I certify that the beneficial owner is a resident of	within the meaning of the income tax treaty			
		within the meaning of the moone 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. 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

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).