

**FAQs on Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS)**

**Query 1:** Why Bank has to ask for the FATCA/CRS declaration (Self Declaration Form) from the customer?

**Reply:** India has signed the Inter-Governmental Agreement (IGA) with the USA and Multilateral Competent Authority Agreement (MCAA), for exchanging information with respective tax authorities of various countries.

The Indian tax authority i.e. Central Board of Direct Taxes (CBDT), vide notification dated August 7, 2015 notified the amendments to Income Tax Rules (Rules) and have added Rule 114F (definitions), 114G (Information to be maintained and reported) and 114H (due diligence requirement) and notified all Banks in India has to comply with FATCA/ CRS Regulation.

Accordingly, Bank has to collect the Self Declaration Form from the customer and furnish necessary information regarding reportable persons in form 61B to CBDT.

**Query 2:** Which fields are to be mandatorily filled in FATCA/ CRS declaration form?

**Reply:** All fields have to be mandatorily captured. Customers shall furnish all the details in the 'Self-Declaration Form' correctly **along with** self-attested Xerox of the documents. Few details to be captured without fail in case of an NRI are as follows:

Sl. No.	Particulars	Explanation
1.	Country of Birth	Can be checked from Passport and filled in Declaration.
2.	Tax Residence Declaration	<p><b>Country</b> Customer to mention the name of the country where he/she is liable for income tax. {If a person is not liable to pay income tax in any country (including India) e.g. student, dependants, etc. then customer to provide details mentioned in Query 3.}</p> <p><b>TIN</b> Taxpayer Identification Number (TIN) is a Unique Number issued to a Person by a Tax Authority of a foreign country {similar to PAN in India}. Format as well as in which document TIN can be traced is specified in the following link: <a href="https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/">https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/</a></p>

		In case, a specific country is not issuing TIN or the Customer is not having TIN, <b><u>Functional Equivalent*</u></b> to be compulsorily furnished.  <b><u>Identification Type</u></b> Document detail to be furnished i.e whether the number specified in TIN column is TIN or Functional Equivalent (e.g. Social Security Number, Residence Permit, National Insurance Number etc.)
3.	PAN or AADHAAR No.	Mandatory
4.	Father's Name	
5.	Date of Birth	
6.	Contact Details (Email & Mobile Number)	

**\*Functional Equivalent** of TIN refers to a document issued by an authority of a country where the Customer is presently residing and includes the following:

- social security/insurance number,
- citizen/personal identification/services code/national identification number,
- a resident / population registration number,
- Alien card number, etc.

**Note:** If an individual or entity is identified as US Person or Person resident outside of India, Customer has to **mandatorily furnish TIN or its Functional Equivalent.**

(A reference list of different countries with respective TINs or Functional equivalents is furnished in Annexure I.)

**Query 3:** Are there any scenario where NRI customers need not submit TIN/ Functional Equivalent?

**Reply:** There could be few scenarios where NRI customers may not be able to submit TIN like:

- a) Current residence country of customer is not issuing TIN/Functional equivalent.
- b) Dependent visa holders/ Student visa holders.
- c) Seafarers.
- d) Going abroad for firsttime

In the above cases, **the following to be captured in the TIN field:**

A	Current residence country of customer is not issuing TIN/Functional equivalent	Visa/ Residence/Work Permit Number
B	Dependent visa holders/ Student visa holders	Dependent/ Student Visa Number
C	Seafarers	Continuous Discharge Certificate (C.D.C.) or Visa Number
D	Going Abroad for first time	Visa Number. Customer to be advised to share TIN/ Functional Equivalent to Branch immediately on receipt of the same.

**Query 4:** What is the basis of selection of an account for FATCA/ CRS Compliance?

**Reply:** Based on the following Indicia or indication, a customer is considered to be tax resident in US or outside India:

- i. A citizen or resident for tax purpose outside of India;
- ii. A person whose country of birth is other than India
- iii. Current residence address or mailing address of a country other than India
- iv. Telephone number is of a country other than India;
- v. Standing instructions to transfer funds from the account to an account maintained in a country other than India
- vi. Current power of attorney or signatory authority granted to a person with a address outside of India; or
- vii. An “in-care-of” address / a “hold mail” address outside of India that is the sole address which Bank is having for the account holder.

**Query 5:** The country where the customer presently resides is not issuing TIN, then why Self-Declaration Form?

**Reply:** Same reply as Query 1. The relevant customers have to mention the **Functional Equivalent** in the TIN field.

**Query 6:** Are we supposed to mention percentage of tax to be paid in the other country in ‘TIN%’ field in the table of ‘Self-Declaration Form’?

**Reply:** No, ‘%’ is the symbol used for footnote that in case TIN not available then Functional Equivalent to be mentioned.

**Query 7:** What is Identification type in the table of ‘Self-Declaration Form’?

**Reply:** Customer to specify the ‘name of the document’ from where the details have been captured in TIN% field.

**Query 8:** In case of Joint Account, one ‘Self-Declaration Form’ sufficient?

**Reply:** Separate ‘Self-Declaration Form’ from each holder to be submitted.

### Annexure – I

**Given below is the country wise list of acceptable documents as TINs / Functional Equivalentents**

<b>Country</b>	<b>Primary Document</b>	<b>Secondary Document (Option 1)</b>	<b>Secondary Document (Option 2)</b>	<b>Secondary Document (Option 3)</b>	<b>Secondary Document (Option 4)</b>
Argentina	CUIT	National Identity Document (DNI)			
Australia	Tax File Number	Driving License	Firearms license	18+ card	
Austria	TIN	ssPIN			
Bahrain	Bahrain ID	Central Population Register Number			
Belgium	TIN or Numero National (NN)				
Brazil	Cadastro de Pessoas Físicas (CPF)	Registro Geral (RG)	Cédula de Identidade (Identity Card)		
Canada	TIN	Social Insurance Number (SIN)			
China	TIN	Resident ID Number or card			
Czech Republic	Personal Number	Civil Card			
Denmark	Personal Identification Number (PIN)	Health Insurance Card	Central Personal Registration (CPR) Number		
Finland	Finnish Social Security Number (SSN)	Personal Identification Code Number or			
France	TIN	SPI	INSEE code		
Germany	Taxpayer Identification Number (TIN)	Health Insurance Number			

Country	Primary Document	Secondary Document (Option 1)	Secondary Document (Option 2)	Secondary Document (Option 3)	Secondary Document (Option 4)
Greece	TIN	Standard ID Card	SSN		
Hong Kong	Hong Kong Identity (HKID)	Hong Kong Permanent Identity			
India	Permanent Account Number (PAN)				
Indonesia	National ID Card (Nomor Induk Kependudukan)	Resident Card			
Ireland	TIN	Personal Public Service (PPS) Number			
Italy	TIN	Fiscal Code	Identity Card (Carta D' Identita)		
Japan	Social Security and Tax Number	National Identity Number (My Number)			
Kenya	Personal Identification Number (PIN)	National ID Card	Alien Card		
Korea	TIN	Resident Registration Number (RRN)			
Kuwait	Civil ID Card				
Malaysia	Tax Reference Number (Nombor Rujukan Cukai)	National Registration Identification Card (NRIC) Number or MyKad			
Mexico	RFC	CURP	Election ID		
Netherlands	TIN	Citizen's Service Number (BSN)	Population Registration Number		
New Zealand	Inland Revenue Department (IRD) Number	National Health Index (NHI) Number			
Nigeria	Taxpayer Identification Number (TIN)	National Identification Number (NIN)			

Country	Primary Document	Secondary Document (Option 1)	Secondary Document (Option 2)	Secondary Document (Option 3)	Secondary Document (Option 4)
Norway	Birth Number (National Population Register)	National ID Number	D-Number		
Oman	Resident Card				
Poland	TIN	Public Electronic Census System Number (PESEL)			
Portugal	TIN	SSN	Civil Identification Number	Healthcare User Number	Voter's Number
Qatar	Qatar ID Card	SIDE			
Saudi Arabia	Residence Permit	Residence Card			
Singapore	FIN	NRIC	ASGD	ITR	
South Africa	Taxpayer Reference Number	South Africa Identity Card			
Spain	TIN	National ID Card (DNI)	Foreigners' Identification Number (NIE)		
Sweden	Personal Identification Number in the Population record (Personnummer)				
Switzerland	Social Security Number	Health Insurance Number	Swiss Identity Card		
Thailand	TIN	Population Identification Code	National ID Card		
U.A.E.	Emirates ID Card				
United Kingdom	Unique Taxpayer Reference (UTR)	National Insurance Number (NINO)			
United States	Social Security Number (SSN)	Individual Taxpayer Identification Number (ITIN)	Employer Identification Number (EIN)		