US-Steuerformular für Privatpersonen (W-8BEN) zur Erklärung der steuerlichen Ansässigkeit

comdirect

Sehr geehrte Kundin, sehr geehrter Kunde,

die USA erheben auf sämtliche US-Wertpapiererträge (z. B. auf US-Zinserträge, US-Dividenden) eine Quellensteuer in Höhe von 30 %, sofern der Zahlungsempfänger nicht in den USA steuerpflichtig ist.

Eine Ermäßigung der US-Quellensteuer ist grundsätzlich durch ein Doppelbesteuerungsabkommen zwischen Deutschland und den USA möglich. comdirect – eine Marke der Commerzbank AG (im Folgenden comdirect genannt) hat mit der US-Steuerbehörde Internal Revenue Service (IRS) einen Vertrag geschlossen, der es ihr unter bestimmten Voraussetzungen erlaubt, den Kunden eine Ermäßigung der US-Quellensteuer zu gewähren. Es gelten die folgenden vergünstigten Quellensteuersätze:

- 0 % bei Zinsen und
- 15 % bei Dividenden

Um Ihnen eine Ermäßigung der US-Quellensteuer gewähren zu können, muss comdirect Ihre steuerliche Ansässigkeit prüfen.

Dazu benötigen wir insbesondere für die nachfolgenden Fälle das Formular W-8BEN:

- Kunden, bei denen Wohnsitz und Versandanschrift in unterschiedlichen Staaten liegen
- Kunden, bei denen Ausstellungsland des Ausweises und Wohnsitzland nicht übereinstimmen
- Kunden, die in die USA, zurück nach Deutschland oder in ein Drittland verziehen
- Kunden, die Mitarbeiter von internationalen Organisationen (z. B. UN, WTO, Weltbank etc.) sind

Mit dem Formular W-8BEN bestätigen Sie, dass Sie nicht in den USA steuerpflichtig, wirtschaftlich Berechtigter der US-Wertpapiererträge und somit berechtigt sind, die Vorteile des für Sie relevanten Doppelbesteuerungsabkommens in Anspruch zu nehmen.

In Einzelfällen kann das Formular W-8BEN außerdem zur Dokumentation Ihrer steuerlichen Ansässigkeit für den Foreign Account Tax Compliance Act (FATCA) dienen. Deutsche Banken sind gesetzlich dazu verpflichtet, Konto- und Depotinhaber mit bestimmten Indizien, die auf eine mögliche US-Steuerpflicht hinweisen, zu prüfen. In diesen Fällen werden Sie persönlich von uns kontaktiert.

Bitte senden Sie das englischsprachige US-Steuerformular W-8BEN vollständig ausgefüllt und von Ihnen unterschrieben an folgende Adresse zurück:

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Wir werden das Formular W-8BEN ausschließlich für interne Prüfzwecke aufbewahren. Ihre persönlichen Daten bzw. Informationen über Ihre US-Erträge werden nicht personenbezogen an die US-Steuerbehörde übermittelt.

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25449 Quickborn
www.comdirect.de

Form **W-8BEN**

(Rev. October 2021)

Department of the Treasury
Internal Revenue Service

Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding and Reporting (Individuals)

▶ **For use by individuals. Entities must use Form W-8BEN-E.**
▶ **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.**

OMB No. 1545-1621

Do NOT use this form if:	**Instead, use Form:**
• You are NOT an individual	W-8BEN-E
• You are a U.S. citizen or other U.S. person, including a resident alien individual	W-9
• You are a beneficial owner claiming that income is effectively connected with the conduct of trade or business within the United States (other than personal services)	W-8ECI
• You are a beneficial owner who is receiving compensation for personal services performed in the United States	8233 or W-4
• You are a person acting as an intermediary	W-8IMY

Note: If you are resident in a FATCA partner jurisdiction (that is, a Model 1 IGA jurisdiction with reciprocity), certain tax account information may be provided to your jurisdiction of residence.

Part I Identification of Beneficial Owner (see instructions)

1 Name of individual who is the beneficial owner

2 Country of citizenship

3 Permanent residence address (street, apt. or suite 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)

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)

6a Foreign tax identifying number (see instructions)

6b Check if FTIN not legally required ☐

7 Reference number(s) (see instructions)

8 Date of birth (MM-DD-YYYY) (see instructions)

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 **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 meets to be eligible for the rate of withholding: _____

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 or proceeds to which this form relates or am using this form to document myself for chapter 4 purposes;
- The person named on line 1 of this form is not a U.S. person;
- This form relates to:
  - (a) income not effectively connected with the conduct of a trade or business in the United States;
  - (b) income effectively connected with the conduct of a trade or business in the United States but is not subject to tax under an applicable income tax treaty;
  - (c) the partner's share of a partnership's effectively connected taxable income; or
  - (d) the partner's amount realized from the transfer of a partnership interest subject to withholding under section 1446(f);
- 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 ▶ ☐ I certify that I have the capacity to sign for the person identified on line 1 of this form.

Signature of beneficial owner (or individual authorized to sign for beneficial owner)

Date (MM-DD-YYYY)

Print name of signer

Ausfüllanleitung W-8BEN
und Erläuterungen

comdirect

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Do NOT use this form if:	**Instead, use Form:**
• You are NOT an individual	W-8BEN-E
• You are a U.S. citizen or other U.S. person, including a resident alien individual	W-9
• You are a beneficial owner claiming that income is effectively connected with the conduct of trade or business within the United States (other than personal services)	W-8ECI
• You are a beneficial owner who is receiving compensation for personal services performed in the United States	8233 or W-4
• You are a person acting as an intermediary	W-8IMY

Note: If you are resident in a FATCA partner jurisdiction (that is, a Model 1 IGA jurisdiction with reciprocity), certain tax account information may be provided to your jurisdiction of residence.

Part I **Identification of Beneficial Owner** (see instructions)

1 Name of individual who is the beneficial owner: Max Mustermann (1.)
2 Country of citizenship: Germany (2.)
3 Permanent residence address (street, apt. or suite no., or rural route). **Do not use a P.O. box or in-care-of address.**: Musterstrasse 1 (3.)
City or town, state or province. Include postal code where appropriate.: 12345 Musterstadt (4.)
Country: Germany (5.)
4 Mailing address (if different from above) (6.)
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): 123-45-6789 (7.)
6a Foreign tax identifying number (see instructions)
6b Check if FTIN not legally required ☐
7 Reference number(s) (see instructions)
8 Date of birth (MM-DD-YYYY) (see instructions): 08-15-1970 (8.)

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 Germany (9.) within the meaning of the income 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 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 meets to be eligible for the rate of withholding: _____

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 or proceeds to which this form relates or am using this form to document myself for chapter 4 purposes;
- The person named on line 1 of this form is not a U.S. person;
- This form relates to:
  (a) income not effectively connected with the conduct of a trade or business in the United States;
  (b) income effectively connected with the conduct of a trade or business in the United States but is not subject to tax under an applicable income tax treaty;
  (c) the partner's share of a partnership's effectively connected taxable income; or
  (d) the partner's amount realized from the transfer of a partnership interest subject to withholding under section 1446(f);
- 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 (10.) ☐ I certify that I have the capacity to sign for the person identified on line 1 of this form.

Max Mustermann (11.) — Signature of beneficial owner (or individual authorized to sign for beneficial owner)
01-25-2022 (12.) — Date (MM-DD-YYYY)
Max Mustermann — Print name of signer
(13.)

For Paperwork Reduction Act Notice, see separate instructions. Cat. No. 25047Z Form **W-8BEN** (Rev. 10-2021)

Erläuterungen

Sehr geehrte Kundin, sehr geehrter Kunde,
dieses Musterformular hilft Ihnen beim Ausfüllen Ihres Formulars. Fast alle einzutragenden Angaben können Sie dem schriftlichen Formular entnehmen.

Zur Klärung Ihrer individuellen Steuersituation wenden Sie sich bitte an Ihren steuerlichen Berater.

Part I Identification of Beneficial Owner

1. Name des wirtschaftlich Berechtigten
2. Land der Staatsangehörigkeit
3. Wohnsitz des wirtschaftlich Berechtigten: Straße/Hausnummer (Bitte kein Postfach und keine c/o-Adresse angeben)
4. Postleitzahl und Ort
5. Land des Wohnsitzes (z. B. „Germany")
6. Postzustelladresse des wirtschaftlich Berechtigten (falls von Zeile 3 abweichend)
   Wird hier eine vom Wohnsitzland abweichende Angabe gemacht, ist das Formular gemäß US-Steuerrecht nicht glaubwürdig. Dies kann dann durch eine Bestätigung des Wohnsitzfinanzamts über die steuerliche Ansässigkeit geheilt werden.
7. US-Steuernummer (Social Security Number oder Individual Taxpayer Number), falls Ihnen eine solche zugeteilt wurde. Notwendig bei Beteiligung an Publicly Traded Partnerships
8. Geburtsdatum

Part II Claim of Tax Treaty Benefits

9. Land der steuerlichen Ansässigkeit des wirtschaftlich Berechtigten. (z.B. „Germany")

Part III Certification

10. Anzukreuzen, falls das Formular durch einen gesetzlichen Vertreter unterschrieben wird.
11. Unterschrift des wirtschaftlich Begünstigten. Sollte der wirtschaftlich Berechtigte minderjährig sein, ist die Unterschrift eines gesetzlichen Vertreters (z.B. Vater oder Mutter) ausreichend. Privatschriftliche oder notarielle Vollmachten sind nach US-Recht nur zulässig, wenn die Vollmacht das Ausfüllen und die Unterschrift eines W-8BEN ausdrücklich beinhaltet.
12. Datum
13. Name der unterschreibenden Person in Druckbuchstaben.

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Stand 01/22