

Instructions for Form W-8IMY



Department of the Treasury
Internal Revenue Service

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Certificate of Foreign Intermediary, Foreign Partnership, or Certain U.S. Branches for United States Tax Withholding

Section references are to the Internal Revenue Code unless otherwise noted.

General Instructions

Purpose of form. Foreign persons are subject to U.S. tax at a 30% rate on income they receive from U.S. sources that consists of interest (including certain original issue discount (OID)), dividends, rent, premiums, annuities, compensation for, or in expectation of, services performed, or other fixed or determinable annual or periodical gains, profits, or income. This tax is imposed on the gross amount paid and is generally collected by withholding on that amount. A payment is considered to have been made whether it is made directly to the beneficial owner or to another person, such as an intermediary, agent, trustee, executor, or partnership, for the benefit of the beneficial owner.

Who must file. Form W-8IMY must be provided by:

- A foreign intermediary, to represent that it is a foreign person and that it is a qualified intermediary or a nonqualified intermediary for the payments it receives and not the beneficial owner. A qualified intermediary uses the form to make representations about the status of foreign beneficial owners and to transmit information regarding certain U.S. payees to a withholding agent. A nonqualified intermediary uses the form to transmit appropriate documentation regarding foreign beneficial owners and certain U.S. payees to a withholding agent.

Note: *If a nonqualified intermediary provides a Form W-8IMY without withholding certificates or other appropriate documentation attached, the payments for which the form is provided and for which no withholding certificates or other appropriate documentation are attached will be treated as payments to a foreign intermediary and not a beneficial owner. Consequently, those payments will generally be subject to withholding at a rate of 30% or 31% backup withholding rate.*

- A foreign partnership, to establish its status as a foreign person or the status of its partners as foreign persons. Form W-8IMY is used by a foreign withholding partnership to represent that it has assumed primary withholding responsibility. Foreign partnerships other than withholding foreign partnerships use the form to transmit appropriate documentation to a withholding agent. For purposes of claiming treaty benefits, a foreign partnership includes a business entity that is treated as fiscally transparent in the country of residence of its interest holders even if the entity is not treated as a partnership for U.S. income tax purposes.

- A foreign person who is a trustee or executor of a U.S. or foreign trust or estate. Such a person is considered to be a nonqualified intermediary unless it has entered into an agreement with the IRS to be treated as a qualified intermediary. If the foreign trustee is the trustee of a trust described in section 651(a), or a trust, all or a portion of which is treated as owned by the grantor or other person under sections 671 through 679, it must attach the Forms W-8BEN, Forms W-8EXP, or, if required, Forms W-9 of the beneficiaries or grantors of the trust. In all other cases, the foreign trustee or executor must attach a Form W-8BEN, Form W-8EXP, or, if required, **Form W-9**, Request for Taxpayer Identification Number and Certification, completed on behalf of the trust or estate.

- A U.S. branch of certain foreign banks and insurance companies, to represent: **(a)** that the income it receives is not

effectively connected with the conduct of a trade or business within the United States, and **(b)** that it is using the certificate either to transmit the documentation of the persons for whom it is acting as an intermediary or as evidence of its agreement with a withholding agent to be treated as a U.S. person. See the Instructions for Part IV of this form.

- A reverse hybrid entity claiming treaty benefits on behalf of its interest holders. See **Definitions** on page 2.

Provide Form W-8IMY to the withholding agent or payer before income is paid or credited to you on behalf of the beneficial owner. Failure to provide a Form W-8IMY with the required attachments may lead to withholding of a 30% or 31% amount from the payment.

DO NOT use Form W-8IMY if:

- You are the beneficial owner of U.S. source income (other than income that is effectively connected with the conduct of a trade or business within the United States) and you need to establish that you are a foreign person. Instead, submit **Form W-8BEN**, Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding.

- You are the beneficial owner of U.S. source income (other than income that is effectively connected with the conduct of a trade or business within the United States) and are claiming a reduced rate of, or exemption from, withholding as a resident of a foreign country with which the United States has an income tax treaty. Instead, provide Form W-8BEN.

- You are the beneficial owner of income that is effectively connected with the conduct of a trade or business within the United States. Instead, provide **Form W-8ECI**, Certificate of Foreign Person's Claim for Exemption From Withholding on Income Effectively Connected With the Conduct of a Trade or Business in the United States.

- You are a nonresident alien individual who claims exemption from withholding on compensation for independent or certain dependent personal services performed in the United States. Instead, provide **Form 8233**, Exemption From Withholding on Compensation for Independent (and Certain Dependent) Personal Services of a Nonresident Alien Individual, or **Form W-4**, Employee's Withholding Allowance Certificate.

- You are a foreign tax-exempt organization, foreign government, or foreign central bank of issue claiming the applicability of section 501(c), 892, 895, or 1443(b). Instead, provide **Form W-8EXP**, Certificate of Foreign Government or Other Foreign Organization for United States Tax Withholding. However, these entities should use Form W-8BEN if they are claiming treaty benefits or are providing the form only to claim exempt recipient status for backup withholding purposes.

- You are a hybrid entity claiming treaty benefits on your own behalf, or you are a reverse hybrid entity and are **not** claiming treaty benefits on behalf of your interest holders. Instead, provide Form W-8BEN. See **Definitions** on page 2.

Giving Form W-8IMY to the withholding agent. Give Form W-8IMY to the person who is requesting it. Generally, this person will be the one from whom you receive the payment or who credits your account. Give Form W-8IMY to the person requesting it before income is paid to you or credited to your account. If you do not provide this form, the withholding agent

may have to withhold at a 30% rate (foreign-person withholding) or 31% (backup withholding) rate. Generally, a separate Form W-8IMY must be submitted to each withholding agent.

DO NOT send Form W-8IMY to the IRS.

Change in status. If a change in circumstances makes any information on the Form W-8IMY (or any documentation attached to the Form W-8IMY), you have submitted incorrect, you must notify the withholding agent or payer within 30 days of the changes in circumstances and you must file a new Form W-8IMY or provide new documentation.

You must update the information attached to Form W-8IMY as often as is necessary to enable the withholding agent to withhold at the appropriate rate on each payment and to report such income for purposes of Chapter 3 or 61 of the Code and sections 3402, 3405, and 3406.

Expiration of Form W-8IMY. Generally, a Form W-8IMY remains valid until the status of the person whose name is on the certificate is changed in a way relevant to the certificate or circumstances change that make the information on the certificate no longer correct. The indefinite validity period does not extend, however, to any withholding certificates or documentary evidence attached to the certificate. Moreover, it does not extend to the statements attached to the certificate if a change of circumstances makes the information on the attached statements no longer correct.

Definitions

Intermediary. An intermediary is any person that acts as a custodian, broker, nominee, trustee, executor, or other type of agent for another person, regardless of whether that other person is the beneficial owner of the amount paid or another intermediary.

Qualified intermediary. A qualified intermediary is an intermediary that is a party to a withholding agreement with the IRS and is:

- A foreign financial institution or a foreign clearing organization (other than a U.S. branch or U.S. office of the institution or organization);
- A foreign branch or office of a U.S. financial institution or a foreign branch or office of a U.S. clearing organization;
- A foreign corporation for purposes of presenting claims of benefits under an income tax treaty on behalf of its shareholders; or
- Any other person the IRS accepts as a qualified intermediary and who enters into a withholding agreement with the IRS.

See Rev. Proc. 98-27, 1998-15 I.R.B. 15, for procedures to apply to be a qualified intermediary.

Nonqualified intermediary. A nonqualified intermediary is any intermediary other than a qualified intermediary.

Withholding foreign partnership. A withholding foreign partnership is a foreign partnership that has entered into a withholding agreement with the IRS in which it agrees to assume primary withholding responsibility for all payments that are made to it for its partners.

Nonwithholding foreign partnership. A nonwithholding foreign partnership is any foreign partnership other than a withholding foreign partnership.

Beneficial owner. A beneficial owner is the person who is the owner of income for tax purposes and who beneficially owns the income. Thus, a person receiving income as a nominee, custodian, or agent for another person is not the beneficial owner of the income. Generally, a person is treated as the owner of the income to the extent it is required under U.S. tax principles to include the amount paid in gross income on a tax return. A person who is the owner of income is considered the beneficial owner of that income unless that person is a conduit entity whose participation in a transaction can be disregarded. Generally, the principles of section 7701(l) and Regulations section 1.881-3 apply to determine if a person is a conduit entity.

The beneficial owners of income paid to a partnership are those persons who, under U.S. tax principles, are the owners of the income for tax purposes in their separate or individual

capacities and who beneficially own the income. Generally, the beneficial owners of income paid to a partnership are the partners, provided that the partner is not itself a partnership or a conduit.

Foreign person. A foreign person includes a nonresident alien individual, a foreign corporation, a foreign partnership, a foreign trust, a foreign estate, and any other person that is not a U.S. person. It also includes a foreign branch or office of a U.S. financial institution or U.S. clearing organization if the foreign branch is a qualified intermediary. Generally, a payment to a U.S. branch of a foreign person is a payment to a foreign person.

Hybrid entity. A hybrid entity is any person other than an individual that is treated as fiscally transparent (see below) in the United States but is not treated as fiscally transparent (i.e., is treated as a taxable entity) by a country with which the United States has an income tax treaty. For example, an entity that is treated as a partnership or as a disregarded entity under U.S. tax principles but is treated as an entity equivalent to a U.S. corporation under the other treaty country's principles is a hybrid entity. A trust can be a hybrid entity if it is treated as a trust described in section 651(a) or sections 671 through 679 under U.S. tax principles but is not treated as a trust described under those sections under the other treaty country's principles. Hybrid status is relevant for claiming treaty benefits.

Reverse hybrid entity. A reverse hybrid entity is any person other than an individual that is not fiscally transparent under U.S. tax law principles (i.e., is a taxable entity) but that is fiscally transparent under the laws of a jurisdiction with which the United States has an income tax treaty. For example, an entity that is treated as equivalent to a U.S. partnership by a treaty country but is treated by the United States as a corporation is a reverse hybrid entity. See the **Specific Instructions for Part II**.

Fiscally transparent entity. An entity is treated as fiscally transparent to the extent that the interest holders in the entity must take into account separately their shares of items of income paid to the entity, and must determine the character of the items of income as if they were realized directly from the sources from which realized by the entity. For example, partnerships, common trust funds, trusts described in section 651(a) or sections 671 through 679, and disregarded entities are generally considered to be fiscally transparent.

Disregarded entity. A business entity that has a single owner and is not a corporation under Regulations section 301.7701-2(b) is disregarded as an entity separate from its owner.

Amounts subject to withholding. An amount subject to withholding is an amount from sources within the United States that is fixed or determinable annual or periodical (FDAP) income. FDAP income is all income included in gross income, including interest (and original issue discount), dividends, rents, royalties, and compensation. FDAP income does not include most gains from the sale of property (including market discount and option premiums). FDAP income also does not include items of U.S. source income that are excluded from gross income without regard to the identity of the holder, such as interest under section 103(a).

Reportable amount. Solely for purposes of the statements required to be attached to Form W-8IMY, a reportable amount is an amount subject to withholding, U.S. source deposit interest (including original issue discount) described in section 871(i)(2)(A), and U.S. source interest or original issue discount on short-term obligations described in section 871(g)(1)(B). It does not include payments on deposits with banks and other financial institutions that remain on deposit for 2 weeks or less. It also does not include amounts of original issue discount arising from a sale and repurchase transaction completed within a period of 2 weeks or less, or amounts described in Regulations section 1.6049-5(b)(7), (10), or (11) (relating to certain obligations issued in bearer form). See the instructions for Forms 1042-S and 1099 to determine whether these amounts are also subject to information reporting.

Withholding agent. Any person, U.S. or foreign, that has the control, receipt, custody, disposal, or payment of any amount subject to withholding. The withholding agent may be an

individual, corporation, partnership, trust, association, or any other entity, including (but not limited to) any foreign intermediary, foreign partnership, and U.S. branches of certain foreign banks and insurance companies. Generally, the person who pays (or causes to be paid) the amount subject to withholding to the foreign person (or to its agent) must withhold.

Specific Instructions

Part I

Line 1. Enter your name. By doing so, you are representing to the payer or withholding agent that you are not the beneficial owner of the amounts that will be paid to you.

Line 2. Enter the country of incorporation if you are a corporation. If you are another type of entity, enter the country under whose laws you are created, organized, or governed. If you are an individual, enter "N/A" (for "not applicable").

Line 3. Check the **one** box that applies. If you are a foreign partnership receiving the payment on behalf of your partners, check the withholding foreign partnership box or the nonwithholding foreign partnership box, whichever is appropriate. If you are a foreign partnership receiving a payment on behalf of persons other than your partners, check the qualified intermediary or nonqualified intermediary box, whichever is appropriate. If you are a foreign person who is a trustee or executor of a U.S. or foreign trust or estate, check the qualified intermediary or nonqualified intermediary box, whichever is appropriate. See **Parts II Through VI** on this page if you are acting in more than one capacity.

Line 4. Your permanent residence address is the address in the country where you claim to be a resident. Do not show the address of a financial institution, a post office box, or an address used solely for mailing purposes. If you do not have a tax residence in any country, the permanent residence address is where you maintain your principal office or, if you are an individual, where you normally reside.

Line 5. Enter your mailing address only if it is different from the address you show on line 4.

Line 6. You must provide an employer identification number (EIN) if you are a qualified intermediary, a foreign withholding partnership, or a U.S. branch of a foreign bank or insurance company.

If you are acting as a qualified intermediary or a withholding foreign partnership with respect to amounts subject to withholding, you must use the EIN that was issued to you in such capacity (your "QI-EIN"). If you also act as a nonqualified intermediary with respect to other amounts subject to withholding, you must complete a separate Form W-8IMY for those amounts and use the EIN, if any, that is **not** your QI-EIN.

A nonqualified intermediary is not required to provide a taxpayer identification number (TIN). However, you may wish to provide a TIN so that Form W-8IMY remains valid as long as your status and the information relevant to the certifications you make on the form remain unchanged.

Line 7. If your country of residence for tax purposes has issued you a tax identifying number, enter it here.

Line 8. List all account numbers with the same withholding agent or payer unless the withholding agent or payer requires you to submit a separate Form W-8IMY for each account.

Parts II Through VI

You should complete only one part. If you are acting in multiple capacities, you must provide separate Forms W-8IMY for each capacity. For example, if you are acting as a qualified intermediary for one account, but a nonqualified intermediary for another account, you must provide one Form W-8IMY in your capacity as a qualified intermediary, and a separate Form W-8IMY in your capacity as a nonqualified intermediary.

Part II — Qualified Intermediary

Line 9

Check box 9a if you are a qualified intermediary (whether or not you assume primary withholding responsibility) for the income for which you are providing this form. By checking the box, you are certifying to all of the statements contained on line 9a.

Check box 9b only if you are assuming primary withholding responsibility for payments from one or more accounts.

Although you are required to obtain withholding certificates or appropriate documentation from beneficial owners, payees, and, if applicable, shareholders, as specified in your withholding agreement with the IRS, you do not need to attach the certificates or documentation to this form. However, you must disclose the names of those U.S. persons for whom you receive reportable amounts and that are not exempt recipients (as defined in Regulations section 1.6049-4(c)(1)(ii) or under section 6041, 6042, 6045, or 6050N). You should make this disclosure by attaching to Form W-8IMY the Forms W-9 (or substitute forms) of persons that are not exempt recipients. If you do not have a Form W-9 for a nonexempt U.S. payee, you must attach to Form W-8IMY any information you do have regarding that person's name, address, and TIN. This disclosure is required even though foreign law may prohibit the disclosure of such information.

Statement for assets for which the qualified intermediary does not assume primary withholding responsibility. If you are a qualified intermediary that is not assuming primary withholding responsibility, you must attach to Form W-8IMY a statement that separates the assets that generate payments of reportable amounts into the three overall categories described below, and as many classes of assets as are necessary to give the withholding agent sufficient information to determine the amount required to be withheld from amounts paid to the intermediary and reported to the IRS. This information may be provided in any manner the parties choose. For example, if the withholding agent maintains separate accounts for each class of assets, the qualified intermediary must attach to Form W-8IMY a statement that provides information sufficient for the withholding agent to allocate assets appropriately among the various accounts. If the withholding agent does not maintain separate accounts, the qualified intermediary must attach a statement to Form W-8IMY that provides sufficient information to permit the withholding agent to determine the classes of assets within an account.

Note: *No information is required regarding assets that do not generate reportable amounts.*

There are three overall **categories of assets:**

1. Assets associated with foreign payees. This category of assets must be subdivided into classes of assets.
2. Assets associated with U.S. payees. If there are nonexempt recipients in this category, the assets allocable to those payees must be separated into a separate class of assets for each payee. In addition, the qualified intermediary must provide a Form W-9 for each U.S. payee that is not an exempt recipient or, in the absence of a Form W-9, the name and address of the U.S. payee and the payee's TIN, if known. The identities of U.S. payees that are exempt recipients do not need to be given to the withholding agent. All U.S. payees that are exempt recipients may be treated as a single payee.
3. Assets associated with undocumented payees. A qualified intermediary receiving reportable amounts (other than U.S. source bank deposit interest, or interest and OID on obligations payable 183 days or less from the date of original issue) must presume that the undocumented payees are foreign persons (and subject to 30% foreign-person withholding), unless the qualified intermediary actually knows that the payee is a U.S. person that is not an exempt recipient (and subject to 31% backup withholding). For bank deposit interest from a U.S. branch of a U.S. bank or similar financial institution or for interest and OID on short-term obligations, the qualified intermediary must presume that the undocumented payee is a U.S. person

that is not an exempt recipient and that 31% backup withholding applies.

A **class of assets** is a group of assets that produces the same type of income (determined by reference to the income and exemption codes on **Form 1042-S**, Foreign Person's U.S. Source Income Subject to Withholding), is subject to the same rate of withholding, and is associated with the same type of payee or beneficial owner (e.g., foreign, each U.S. nonexempt recipient, U.S. exempt recipients, or undocumented payees). Assets in a particular account (other than assets allocable to persons that are not exempt recipients) may be aggregated if all of the income from the assets in the account is of the same type (determined by reference to the income and exemption codes on Form 1042-S), is subject to the same rate of withholding, and is subject to the same type of information reporting.

See Rev. Proc. 98-27 for further information on the determination of classes of assets.

Note: *For purposes of the statement to be attached to Form W-8IMY, a qualified intermediary need not separate its assets into a separate class for each country in which the beneficial owners or payees of income from the assets reside. Solely for purposes of Form 1042-S reporting, a qualified intermediary is required, however, to report income from classes of assets determined on a country-by-country basis, further classified by income types and recipient types as determined on Form 1042-S. See the Instructions for Form 1042-S for more information.*

Statement for assets for which the qualified intermediary assumes primary withholding responsibility. A qualified intermediary that assumes primary withholding responsibility must also attach to Form W-8IMY a statement regarding asset categories and classes. The asset categories and classes are determined on the same basis as for a qualified intermediary that does not assume primary withholding responsibility, except that all income for which a qualified intermediary assumes withholding responsibility is treated as subject to a zero rate of withholding. Generally, a qualified intermediary may not assume primary withholding responsibility for a payment allocable to a U.S. person.

Updating the statement. The statement by which the qualified intermediary identifies the relevant classes of assets must be updated as often as is necessary to allow the withholding agent to withhold at the appropriate rate on each payment and to correctly report the income to the IRS. The updated information becomes an integral part of Form W-8IMY.

Part III — Nonqualified Intermediary

Line 10

If you are providing Form W-8IMY as a nonqualified intermediary, you must check box 10a. By checking this box, you are certifying to all the statements on line 10a. Check box 10b if you are using this form to transmit withholding certificates or other documentation. If you check box 10b, you must also check either box 10c **OR** box 10d, but not both.

Check box 10c if you are transmitting or will transmit all of the withholding certificates or other documentation for all of the persons for whom you are providing this form. You may provide copies of the withholding certificates or documentation, but you must keep the original documentation for as long as it may be relevant in determining the withholding agent's tax liability.

Check box 10d if you do not have withholding certificates or documentation (or the documentation you have is unreliable) for some persons for whom you are providing this form. You must separately identify the amounts allocated to persons for whom documentation is lacking or is unreliable.

If you are acting on behalf of another nonqualified intermediary or on behalf of a foreign partnership that is not a withholding foreign partnership, you must attach to your own Form W-8IMY the Form W-8IMY of the other nonqualified intermediary or the foreign partnership together with the

withholding certificates and other documentation attached to that Form W-8IMY.

Statement of nonqualified intermediary. An intermediary that is not acting as a qualified intermediary must provide information sufficient for the withholding agent to determine the proportion of each payment of reportable amounts that is allocable to each person to whom the intermediary withholding certificate relates, including persons for whom the nonqualified intermediary has not attached a withholding certificate or other appropriate documentation. The sum of all of the proportions indicated by the intermediary, expressed as a percentage, **must** equal 100% of the payment.

The information for persons for whom a withholding certificate or other documentation is lacking or unreliable may be given in the aggregate and need not be given separately for each person. The nonqualified intermediary is not required to disclose the names of the persons for whom it does not have a valid withholding certificate or other documentation unless it has actual knowledge that the undocumented person is a U.S. person that is not an exempt recipient. In that case, the intermediary must state separately the name, address, and TIN (if known) of the U.S. person.

If a nonqualified intermediary provides documentary evidence rather than a Form W-8BEN on behalf of a beneficial owner (other than an individual) claiming treaty benefits, the nonqualified intermediary must determine whether the documentation contains statements that the beneficial owner meets one or more conditions in the "limitation on benefits" article (if any) in a treaty and that the income is derived by the beneficial owner as a resident of a treaty country within the meaning of Regulations section 1.894-1T(d)(1), and must inform the withholding agent as to which payments those statements relate.

Part IV — Certain United States Branches

Line 11

Check the box to certify that you are either:

- A U.S. branch of a foreign bank subject to regulatory supervision by the Federal Reserve Board; or
- A U.S. branch of a foreign insurance company required to file an annual statement on a form approved by the National Association of Insurance Commissioners with the insurance department of a state, a territory, or the District of Columbia.

By checking the box you are also certifying that the income you are receiving is not effectively connected with the conduct of your trade or business in the United States. You must provide your EIN on line 6 of Part I.

Line 12 or 13

If you are one of the types of U.S. branches specified above, then you may choose to be treated in one of two ways:

1. Check box 12 if you have an agreement with the withholding agent to which you are providing this form to be treated as a U.S. person. In this case, you will be treated as a U.S. person. Therefore, you will receive the payment free of Chapter 3 withholding but you will yourself be responsible for Chapter 3 withholding and backup withholding for any payments you make or credit to the account of persons for whom you are receiving the payment.

2. Check box 13a if you do not have an agreement with the withholding agent to be treated as a U.S. person. If you check box 13a, you must check box 13b **OR** box 13c, but not both. See the instructions for lines 10c and 10d.

Part V — Withholding Foreign Partnership

Line 14

Check box 14 if you are a withholding foreign partnership for the assets for which you are providing this form and you are receiving the income from those assets on behalf of your partners. **Do not check** this box if you are receiving the income

on behalf of persons other than your partners. In that case, you should either complete **Part II** or **Part III**.

If you are acting as a withholding foreign partnership, you must assume primary withholding responsibility for all payments that are made to you for your partners. Therefore, you are not required to provide information to the withholding agent regarding each partner's distributive share of the payment. If you are also receiving payments from the same withholding agent for persons other than your partners, you must provide a separate Form W-8IMY for those payments.

Part VI — Nonwithholding Foreign Partnership

Line 15

Check box 15a if you are a foreign partnership that is not a withholding foreign partnership. By checking this box, you are certifying to all the statements on line 15a. If you are receiving income that is effectively connected with the conduct of a trade or business in the United States, provide Form W-8ECI.

You must also check either box 15b **OR** 15c, but not both. Check box 15b if you have and are transmitting all of the withholding certificates and other documentation for all of the partners for whom you are providing this form. You may provide copies of the withholding certificates or other documentation, but you must keep the original documentation for as long as it may be relevant to determine the withholding agent's tax liability. Check box 15c if you do not have withholding certificates or other documentation (or the documentation you have is unreliable) for some persons for whom you are providing this form. You must separately identify the amounts allocated to partners for whom documentation is lacking or is unreliable.

Do not complete Part VI if you are not receiving the income on behalf of your partners. In that case, complete Parts II, III, IV, or V, whichever is appropriate.

If you are acting on behalf of a nonqualified intermediary or another foreign partnership that is not a withholding foreign partnership, you must attach to your own Form W-8IMY the Form W-8IMY of the other foreign partnership together with the withholding certificates and other documentation attached to that other form.

Statement of foreign partnership. You must attach a statement to Form W-8IMY that provides information sufficient for the withholding agent to determine each partner's distributive share of the reportable amounts to which this form relates. The sum of all partners' distributive shares, expressed as a percentage, must equal 100%. In addition, the statement relating to your partners must meet the same requirements as the statement required of a nonqualified intermediary. See the instructions for **Part III — Nonqualified Intermediary** on page 4.

Part VII — Certification

Form W-8IMY must be signed and dated by a person authorized to sign a declaration under penalties of perjury on behalf of the person whose name is on the form.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. If you are acting in any capacity described in these instructions, you are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 7 hr., 53 min.; **Learning about the law or the form**, 3 hr., 38 min.; **Preparing and sending the form to IRS**, 5 hr., 8 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **DO NOT** send Form W-8IMY to this office. Instead, give it to your withholding agent.