



# Instructions for the Requester of Form W-9

(March 1994)

## Request for Taxpayer Identification Number and Certification

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

These instructions supplement the instructions on the Form W-9, for the requester. The payee may also need these instructions.

### Substitute Form W-9

You may use a substitute Form W-9 (your own version) as long as it is substantially similar to the official Form W-9 and conforms to Temporary Regulations section 35a.9999-1, Q/A-36. You may not use a substitute form to require the payee, by signing, to agree to provisions unrelated to TIN certification.

### TIN Applied For

If the payee returns the Form W-9 with "Applied For" written in Part I, the payee must provide you with a TIN within 60 days. During this 60-day period, you have two options for withholding on reportable interest or dividend payments. For other reportable payments, if you do not receive the payee's TIN within the 60 days you must backup withhold, until the payee furnishes you with his or her TIN.

**Option 1.**—You must backup withhold on any withdrawals the payee makes from the account after 7 business days after you receive the Form W-9.

**Option 2.**—You must backup withhold on any reportable interest or dividend payments made to the payee's account, regardless of whether the payee makes any withdrawals. Backup withholding under this option must begin no later than 7 business days after you receive the Form W-9. Under this option, you must refund the amounts withheld if you receive the payee's certified TIN within the 60-day period and the payee was

not otherwise subject to backup withholding during the period.

### Payees and Payments Exempt From Backup Withholding

The following is a list of payees exempt from backup withholding and for which no information reporting is required. For interest and dividends, all listed payees are exempt except item (9). For broker transactions, payees listed in items (1) through (13) and a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker are exempt. Payments subject to reporting under sections 6041 and 6041A are generally exempt from backup withholding only if made to payees described in items (1) through (7), except a corporation that provides medical and health care services or bills and collects payments for such services is not exempt from backup withholding or information reporting. Only payees described in items (2) through (6) are exempt from backup withholding for barter exchange transactions, patronage dividends, and payments by certain fishing boat operators.

(1) A corporation.

(2) An organization exempt from tax under section 501(a), or an IRA, or a custodial account under section 403(b)(7).

(3) The United States or any of its agencies or instrumentalities.

(4) A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities.

(5) A foreign government or any of its political subdivisions, agencies, or instrumentalities.

(6) An international organization or any of its agencies or instrumentalities.

(7) A foreign central bank of issue.

(8) A dealer in securities or commodities required to register in the United States or a possession of the United States.

(9) A futures commission merchant registered with the Commodity Futures Trading Commission.

(10) A real estate investment trust.

(11) An entity registered at all times during the tax year under the Investment Company Act of 1940.

(12) A common trust fund operated by a bank under section 584(a).

(13) A financial institution.

(14) A middleman known in the investment community as a nominee or listed in the most recent publication of the American Society of Corporate Secretaries, Inc., Nominee List.

(15) A trust exempt from tax under section 664 or described in section 4947.

Payments of **dividends and patronage dividends** generally not subject to backup withholding include the following:

- Payments to nonresident aliens subject to withholding under section 1441.

- Payments to partnerships not engaged in a trade or business in the United States and that have at least one nonresident partner.

- Payments of patronage dividends not paid in money.

- Payments made by certain foreign organizations.

Payments of **interest** generally not subject to backup withholding include the following:

- Payments of interest on obligations issued by individuals.

**Note:** *The payee may be subject to backup withholding if this interest is \$600 or more and is paid in the course of your trade or business and the payee has not provided his or her correct TIN to you.*

- Payments of tax-exempt interest (including exempt-interest dividends under section 852).
- Payments described in section 6049(b)(5) to nonresident aliens.
- Payments on tax-free covenant bonds under section 1451.
- Payments made by certain foreign organizations.
- Mortgage interest paid to you.

Payments that are not subject to information reporting are also not

subject to backup withholding. For details, see sections 6041, 6041A(a), 6042, 6044, 6045, 6049, 6050A, and 6050N, and their regulations.

For more information on backup withholding and your requirements, get **Pub. 1679**, A Guide to Backup Withholding, and **Pub. 1281**, Backup Withholding on Missing and Incorrect TINs.

### **Names and TINs To Use for Information Reporting**

Show the full name and address as provided on the Form W-9 on the appropriate information return. If payments have been made to more than one recipient or the account is in more than one name, enter **ONLY** on the first name line the name of the recipient whose TIN is shown on the information return. Show the names of any other individual

recipients in the area below the first name line, if desired.

For sole proprietors, show the individual's name on the first name line. On the second name line, you may enter the business name if provided. You may not enter only the business name. For the TIN, enter either the individual's SSN or the EIN of the business (sole proprietorship).

### **Notices From the IRS About Your Payees**

We will send you a notice if the payee's name and TIN on the information return you filed do not match our records. You may need to send a "B" Notice to the payee to solicit his or her TIN. See Pub. 1679 and Pub. 1281 for copies of the two different "B" Notices.

