



SEYCHELLES REVENUE COMMISSION

CIRCULAR TO FINANCIAL INSTITUTIONS WHICH HAVE REGISTERED FOR FATCA PURPOSES.

Seychelles Revenue Commission would like to inform the Financial Institutions as understood for the purpose of this circular that they will be required to transmit financial account information to the Internal Revenue Services by 30 September 2015 in accordance with the directives stated herein.

The successful exchange will depend on the timely manner in which Financial Institutions in Seychelles report the required information to the Seychelles Revenue Commission.

Therefore, affected financial institutions must report financial account information by **no later than 30 June 2015** in the form of a data file compiled in accordance with FATCA XML v1.1 schema. The first reporting period will cover the period of 01 July 2014 – 31 December 2014.

The information to be obtained and exchanged with respect to 2014 is the following::

Specified US person:

-name, address, US TIN of each specified US person that is an account holder of US reportable account

Non US Entity:

-name, address and US TIN (if any) of the Non US entity and the US TIN of a specified US person in the case of a Non US entity that is identified as having one or more controlling persons that is a specified US person

If the FI cannot obtain the US TIN for accounts that were maintained before the intergovernmental agreement between US and Seychelles comes in effect, the FI is required to report the date of birth instead. Where the FI cannot obtain the date of birth (in case of a legal entity only), the FI will be exempted from reporting this information. However, this exemption will be valid only for pre-existing accounts and the TIN must be obtained for new-accounts.

-account number;

-name and identifying number of the reporting Seychelles financial institution;

-account balance or value as of the end of 2014;

- in the case the account was closed during 2014, the account balance or value immediately before closure (5 days before the closure).
- in the case of a cash value insurance contract or annuity contract, the cash value or surrender value;

For avoidance of doubt, financial institutions in this notice means a custodial institution, a depository institution, an investment entity or a specified insurance company as defined below:

Custody Institution: any Entity that holds, as a substantial portion of its business, financial assets for the account of others. An entity holds financial assets for the account of others as a substantial portion of its business if the entity's gross income attributable to the holding of financial assets and related financial services equals to or exceeds 20% of the entity's gross income during the shorter of: (i) 3 year period that ends on December 31 prior to the year in which the determination is being made; or (ii) the period during which the entity has been in existence.

Depository Institution: any entity that accepts deposits in the ordinary course of a banking or similar business.

Investment Entity: any entity that conducts as a business (or is managed by an entity that conducts as a business) one or more of the following activities or operations for or on behalf of a customer:

- (1) Trading in money market instruments (cheques, bills, certificates of deposit; derivatives, etc); foreign exchange; exchange, interest rate and index instruments; transferable securities or commodity futures trading;
- (2) Individual and collective portfolio management; or
- (3) Otherwise investing, administering or managing fund or money on behalf of other persons.

Specified Insurance Company: any entity that is an insurance company (or the holding of an insurance company) that issues, or is obligated to make payments with respect to a cash value insurance contract or an annuity contract.

Further information concerning FATCA and FATCA XML schema can be found on:

- <http://www.irs.gov/Businesses/Corporations/Foreign-Account-Tax-Compliance-Act-FATCA>; and
- <http://www.irs.gov/Businesses/Corporations/FATCA-XML-Schemas-and-Business-Rules-for-Form-8966>.

If you have any queries, please let us know by sending an email on the following email address: aurore.arcambal@src.gov.sc.

You are kindly requested to make any queries concerning this circular by the 20th April 2015, after which, you will be informed of a suitable date for a presentation on the relevant points of concerns.

