

THOMSON REUTERS

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Internal Revenue Service
Room 6526
1111 Constitution Avenue NW
Washington
DC 20224
United States of America

13th September 2017

Dear Sir/Madam

Please see below our response to the IRS request on 31 July 2017 for comments regarding each form in the Form W-8 series, as well as the Electronic W-8 MOU program.

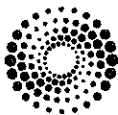
The AEOI Documentation product at Thomson Reuters is a client installed product to collect Electronic W-8/W-9s. We have an extensive rule set which allows the system to validate the W-8/W-9 forms and we include various management reports and functions to assist clients with remediation and resolicitation processes.

Firstly, we would like to acknowledge the benefit of having a greater notice period of the new final forms, with the issue of the draft forms and draft instructions. This has certainly made communication with our development teams and clients easier. It is also beneficial that the forms have been released at the same time, as this allows a single, consolidated update to the system.

We appreciate the extension of the implementation requirements of the forms to be 6 months from the date of the form or to the end of the year, whichever is later. However we would like to point out on this occasion, with most forms being July 2017, this does not provide any benefit.

Revisions and expiration

1. There is much confusion as to when the new forms need to be implemented by. Is the 6 month grace period from the first day of the month the form is issued, or the last day? It would therefore be useful to have a field on all future forms which states a date that the form should always be collected from. i.e W-8BEN July 2017 would have a 'Collect From' date of 1st Feb 2018. In the meantime it would be useful to have official clarification. We are interpreting the legislation using the plain meaning (in language of the regulation) of "six full months" and "after the revision date shown on the updated withholding certificate" – plain meaning: start counting after July.



2. As mentioned above it is useful to have the draft form prior to the final version, and it would be even more beneficial to be aware, in advance, that a draft form was being worked upon. An early announcement from the IRS stating a form review was taking place would be useful, ideally with estimated release date.

MOU process

We have been trying to contact the MOU team for over a year now, with no response to emails or phone calls. We had heard the MOU process has been suspended but are yet to see an official communication from the IRS. Details of the MOU process are still available on the IRS website. We would like to seek clarification of this and confirmation of which W-8/W-9 forms are to be included in the process. If the MOU process is still available for Electronic W-8/W-9 forms, then please can you confirm by reply the details of who should be contacted?

Certification

The penalties of perjury text was specified by IRS that is required to be added to an electronic W-8/W-9. To fit this on the current PDF forms it needs to be displayed in small print. Can this text be included by default in the next version of the forms?

"THE INTERNAL REVENUE SERVICE DOES NOT REQUIRE YOUR CONSENT TO ANY PROVISIONS OF THIS DOCUMENT OTHER THAN THE CERTIFICATIONS REQUIRED TO ESTABLISH YOUR STATUS AS A NON-U.S. INDIVIDUAL AND, IF APPLICABLE, OBTAIN A REDUCED RATE OF WITHHOLDING."

Minimal Changes

It would be good for the IRS to note that when a form has been updated with minimal changes, which are often just format based (i.e text size, check box removal or addition), there is still a significant overhead for software providers and clients to update the form version, PDF overlay etc. It would be helpful if such minimal changes could wait to be included in the next future version, or indeed revised instructions issued with no form revision (although this would require an effective date).

We thank you for the opportunity to provide feedback.

Regards

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