

Below are some reminders and details regarding the IRS form W-8BEN-E. This document applies to non-U.S. entities. Questions regarding the W-8BEN-E form can be directed to 773.402.5800 or [Ask a Payroll Question](#) via the Shared Services Portal.

The Internal Revenue Service (IRS) requires additional information as it relates to payments made to foreign entities. Foreign entities are required to fully complete the W-8BEN-E form and provide all pages to Payroll Services when requesting payment. Recently, the IRS clarified requirements for claiming tax treaty benefits and certain limitations on these benefits. Below we will outline the required lines for entities claiming tax treaty benefits and for entities not claiming tax treaty benefits. W-8BEN-E forms received by Payroll Services that are not completed in their entirety will be rejected. Any W-8BEN-E form dated prior to July 2017 will not be accepted. The July 2017 W-8BEN form is available [here](#).

Foreign individuals are required to complete IRS form W-8BEN and US entities are required to complete IRS form W-9.

Who should complete a W-8BEN-E form?

- Entities receiving the following forms of payment:
 - Services
 - Royalties
 - User Fees/Intellectual Property
 - Award/Prizes
 - Performance/Entertainment

The following lines on the IRS form W-8BEN-E are required to be completed by all entities; if additional lines are applicable, they should be completed. Incomplete forms will not be accepted by Payroll Services.

- Line 1 – Name of Organization
- Line 2 – Country of Incorporation
- Line 4 – Chapter 3 Status
- Line 5 – Chapter 4 Status and coordinating line represented on pages 2-8
- Line 6 – Permanent Address
- Form must be signed (page 8) with printed name and date
- Box under signature must be checked

Who can claim a tax treaty on Form W-8BEN-E?

Tax treaty benefits are honored based on the availability of a valid tax treaty between the U.S. and the country of tax residence of the entity and the facts surrounding the entity's purpose and payment type. Many tax treaties also have Limitations of Benefits (LOB) that may prohibit claiming benefits based on the entity's determinations. Entities claiming tax treaty benefits on IRS form W-8BEN-E are limited to:

- Royalty Payments
- User Fees/Intellectual Property
- Certain Services performed in the US

The following lines on the IRS form W-8BEN-E are required to be completed by all entities claiming a tax treaty benefit; if additional lines are applicable, they should be completed. Incomplete forms will not be accepted by Payroll Services.

- Line 1 – Name of Organization

- Line 2 – Country of Incorporation
- Line 4 – Chapter 3 Status
- Line 5 – Chapter 4 Status and coordinating line represented on pages 2-8
- Line 6 – Permanent Address
- Line 8 OR Line 9b
- Line 14 – Claim of Tax Treaty Benefits
 - Line 14a – Country of Tax Treaty Claim
 - Line 14b – A box must be checked by entity if an LOB article exists. If “Other” is indicated, the exact LOB treaty article must be indicated. See LOB tax treaty articles [here](#); **OR**
 - Line 15 – if no LOB article exists, the applicable tax treaty article, rate and type of income must be indicated
- Form must be signed (page 8) with printed name and date
- Box under signature must be checked

Payroll Services cannot advise entities on how to complete the new W-8BEN-E form. Please provide [instructions](#) for form W-8BEN-E when requesting these documents if further clarification is needed.