

## FATCA SERVICES AND FEE SCHEDULE

### Introduction to FATCA

The Foreign Account Tax Compliance Act (FATCA) is US legislation that targets US taxpayers who use foreign financial accounts and foreign entities to avoid their US income tax and reporting obligations. The FATCA legislation generally classifies all non-US entities (e.g., private investment companies, trusts, foundations) as either Foreign Financial Institutions (FFIs) or Non-Financial Foreign Entities (NFFEs). An entity's FATCA obligations vary depending on whether the entity is an FFI or NFFE and the jurisdiction of the entity.

Entities classified as FFIs are generally required to register with the US Internal Revenue Service (IRS) and report certain information about any US owners to the IRS, either directly or through the entity's home country tax authority. Entities classified as NFFEs are not required to register with the IRS but are obligated to disclose to their financial institutions on the new Form W-8BEN-E the identity of any substantial or controlling US owners. An FFI or NFFE that fails to comply with its FATCA obligations will be subject to a new 30% withholding tax on certain US-source payments (e.g., interest, dividends) and, eventually, the gross proceeds from the sale of US securities.

Grant, Herrmann, Schwartz & Klinger is actively assisting clients with their FATCA obligations. Below is a summary of our FATCA service offerings and pricing.

### Services Offered

#### Entity Classification, Registration and Ongoing Compliance

- Determine entity's FATCA classification
- Complete IRS registration, if appropriate
- Obtain Global Intermediary Identification Number (GIIN)
- Prepare and submit ongoing applicable FATCA reports to IRS
- Assist with ongoing FATCA compliance

#### Other Services

- Complete Form W-8BEN-E for FFIs and NFFEs
- Prepare Attorney's Letter certifying FFI's FATCA status (for owner-documented FFIs)

### Pricing

#### FATCA Compliance Package

- Setup Fee: \$1,350 (initial entity classification, FFI registration on IRS portal (if necessary), due diligence review and preparation of initial W-8BEN-E)
- Annual Fee: \$350 (maintain FATCA registration, comply with applicable reporting obligations and general ongoing FATCA compliance)

Form W8-BEN-E: \$450

Attorney's Letter: \$3,850

Additional Services: Billed on a time-spent basis at applicable hourly rates

For assistance with FATCA compliance or any questions, please contact David Sahargun at (212) 682-1800 or [dsahargun@ghsklaw.com](mailto:dsahargun@ghsklaw.com).