



Republic of Cyprus

Updated TIN field codes for FATCA XML Schema

The Tax Department informs all interested parties and their representatives that, in certain circumstances, where a reporting Model 1 foreign financial institution (FFI) may not have obtained and reported a U.S. tax identification number (TIN) data element for each specified U.S. person that is an account holder or a controlling person of a non-U.S. entity, and therefore the information may not be available for exchange with the U.S. competent authority as required by the FATCA IGA, the IRS has issued Notice 2023-11 and has developed a series of codes that can be included in the TIN field of the FATCA XML Schema by a reporting Model 1 FFI.

The Notice 2023-11 issued by the IRS provides temporary relief procedures for certain FFIs required to report U.S. taxpayer identification number for certain preexisting accounts as defined in an applicable Model 1 intergovernmental agreement.

The expectation is that the use of these codes will allow IRS to better understand the facts and circumstances behind the missing U.S. TINs, both in general and with respect to a specific reporting Model 1 FFI.

As a result of the Notice, the IRS has updated the followings series of TIN field codes and related scenarios:

- **22222222** – Preexisting individual account with only U.S. indicia being a U.S. place of birth, other than an account reported under code 000222111. This code takes precedence if any other code (other than 000222111) could also be applicable.
- **000222111**– Preexisting depository individual account with only U.S. indicia being a U.S. place of birth. Additionally, FFI must determine that the account holder is a resident of the jurisdiction where the account is maintained for AML and tax purposes. The meaning of “depository account” is defined in the applicable Model 1 Intergovernmental Agreement (Model 1 IGA). This code takes precedence if any other code could also be applicable.
- **33333333** – New individual account that (1) has indicia of a U.S. place of birth, and (2) either:
 - (a) has a change in circumstances causing the self-certification originally obtained at account opening to be incorrect or unreliable, and a new self-certification has not been obtained, or
 - (b) was below the threshold for documenting and reporting the account at the time of account opening and subsequently exceeded the threshold, and a self-certification has not been obtained.
- **44444444** – Preexisting individual and entity account that (1) has U.S, indicia other than a U.S. place of birth, and (2) either:

(a) has a change in circumstances that either results in one or more U.S. indicia being associated with the account or causes a self-certification or other documentation originally obtained to be incorrect or unreliable, and a valid self-certification or other documentation has not been obtained subsequent to the change in circumstances, or

(b) was below the threshold for documenting and reporting the account on the determination date provided in the applicable Model 1 IGA and subsequently exceeded the threshold, and a self-certification or other documentation has not been obtained.

- **55555555** – New individual and entity account that (1) has a U.S. indicia other than a U.S. place of birth, and (2) either:

(a) has a change in circumstances causing the self-certification or other documentation originally obtained to be incorrect or unreliable, and a new self-certification or other documentation has not been obtained, or

(b) was below the threshold for documenting and reporting the account at the time of account opening and subsequently exceeded the threshold, and a self-certification or other documentation has not been obtained.

- **66666666** – Preexisting entity account held by a passive NFFE with one or more controlling persons with respect to which self-certifications have not been obtained, and no U.S. indicia have been identified in relation to any controlling persons.

- **77777777** – Dormant Accounts – For pre-existing accounts where there is no TIN available and the account has been dormant or inactive, but remains above the reporting threshold, also known as a “dormant account.” A “dormant account” is one that meets the definition set out in U.S. Treasury Regulations §1.1471-4(d)(6)(ii) and had had no financial activity for three years, except for the posting of interest. If an account could be classified into multiple TIN codes, the other code takes precedence.

- **99999999** - Any account for which the FFI cannot obtain a TIN and none of the other TIN codes would be applicable. The use of this code indicates that an FFI has completed its review of accounts without U.S. TINs and has in good faith applied TIN codes to records when applicable.

Note that the reporting for calendar year 2022 (due by September 30, 2023) is considered to be a transition year, and to be eligible for relief Model 1 FFIs must either use the existing TIN codes or the above updated TIN codes. For reporting on calendar years 2023 (due by September 30, 2024) and 2024 (due by September 30, 2025), a reporting Model 1 FFI must use the above updated codes.

The IRS informed the CY Tax Department that their system will still generate an error notification to indicate the entry is invalid when one of the above codes is used.

The Tax Department will consider the facts and circumstances leading to the absence of the U.S. TIN, such as the reasons why the TIN could not be obtained, whether the FFI has adequate procedures in place to obtain TINs, and the efforts made by the FFI to obtain TINs. For example, whether the FFI is contacting account holders annually to request any missing TINs.

Please be informed that the Tax Department will impose penalties in case FFIs are identified as non-compliant with the Model 1 IGA.

Finally, the Tax Department encourages U.S. citizens to provide U.S.TINs to FFIs when requested. FFIs are also encouraged not to discriminate against U.S. citizens that do provide a U.S. TIN.

TAX DEPARTMENT

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