

WITHHOLDING TAX ON INCOME FROM MOVABLE ASSETS

IDENTIFICATION CERTIFICATE
X/N security settlement system
Exempt account

Certificate drawn up pursuant to Article 5 of the Royal Decree of 26 May 1994 on the collection and payment of the withholding tax on income from movable assets in accordance with Chapter I of the law of 6 August 1993 on transactions in certain securities.

When an exempt account is opened, the holder shall deliver to the account-keeping institution a certificate which enables the holder or the beneficiaries of the incomes to be identified and makes it possible to ascertain that these belong to one of the categories of persons who can claim exemption from the withholding tax on income from movable assets.

This certificate shall be held in safekeeping by the account-keeper at the disposal of the Direct Tax Department. Account-keepers established abroad shall transmit these certificates either to the X/N manager or to their Belgian participant, which shall keep these certificates at the disposal of the Department.

The holder of an exempt account shall immediately inform the account-keeping institution of any change to the data contained in the certificate. Account-keepers established abroad shall immediately notify the manager or the Belgian participant of these changes.

The undersigned¹

acting on behalf of²

address or registered head office

1) certify/certifies that the latter belongs to one of the categories³ of taxpayers⁴ mentioned below:

- 1° the resident companies referred to in Article 2, § 2, 2° of the Income Tax Code 1992 (CIR 92);
- 2° without prejudice to the application of Article 262, 1° to 5°, CIR 92, the institutions, associations or companies referred to in Article 2, § 3, of the law of 9 July 1975 on the supervision of insurance companies, other than those referred to in 1° and 3°;
- 3° the semi-public ("parastate") social security agencies, or agencies equivalent thereto, referred to in Article 105, 2°, of the decree implementing CIR 1992 (AR/CIR 92);
- 4° the non-resident savers referred to in Article 105, 5°, of the same decree;
- 5° the unit trusts referred to in Article 115 of the same decree;
- 6° the taxpayers referred to in Article 227, 2°, of CIR 92 who are subject to the tax on non-residents in accordance with Article 233 of the same Code and who have used the income-producing capital for the exercise of their professional activity in Belgium;
- 7° the Belgian State, for its investments which are exempt from the withholding tax on income from movable assets, in accordance with Article 265 of CIR 92;

¹ Surname(s) and forename(s) of the declarant or his agents;

² Exact name - only for legal persons;

³ Categories referred to in Article 4 of the Royal Decree of 26 May 1994;

⁴ Delete as appropriate;

- 8° collective investment undertakings governed by foreign law which have joint assets managed by a management company on behalf of the participants, when their shares are not the subject of a public issue in Belgium and are not marketed in Belgium;
- 9° resident companies not referred to in 1° whose sole or main activity consists in the granting of credits and loans⁵;
- 10° only with regard to the securities referred to in Article 2, § 1, 1° and 2°, the Communities, Regions, Community Commissions, Provinces and Communes as well as public or public-interest agencies or institutions, other than those referred to in 3°, which are subordinate to or subsidised by the State, the Communities, Regions and Community Commissions and which, for the application of European Community Directive No. 3605/93 of 22 November 1993 on the application of the Protocol on the excessive deficit procedure annexed to the Treaty establishing the European Community, form part of the general government sector within the meaning of the European System of Integrated Economic Accounts (ESA)⁶;
- 11° ⁷
- 2) confirm that the securities which will be entered in an exempt account are exclusively owned, or usufruct thereof is possessed, by the holder of the account or that the holder will act solely on behalf of persons belonging to one of the categories of persons referred to in section 1);
- 3) undertake(s) to notify the account-keeper with which his/her/their account is opened of any change affecting the accuracy of this certificate⁸;
- 4) authorise(s) the account-keeper and the debtor in respect of the incomes to comply with the measures to which renunciation of collection of the withholding tax on income from movable assets is subject, especially with regard to the communication, to the Direct Tax Department, of the above-mentioned information and of information concerning the interest produced by the said securities.

Done at, (date)

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Signature(s)

BOX RESERVED FOR THE ACCOUNT-KEEPER
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Name of account-keeper:	_____
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Individual authorisation number:	_____
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Number of the participant or sub-participant in the security settlement system:	_____
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Security account opened in the applicant's name under number:	_____
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⁵ Inserted by Article 4 of the Royal Decree of 23 January 1995;

⁶ Inserted by Article 1 of the Royal Decree of 15 December 1995, list mentioned in the notice concerning the withholding tax on income from movable assets, *Moniteur Belge/Belgisch Staatsblad* of 1.2.1997, p. 1963;

⁷ To be completed in the event of the extension of Article 4 of the Royal Decree of 26 May 1994 to other categories of investors;

⁸ Account-keepers not established in Belgium must forward the certificate and the information to the settlement system in which they participate.

