

MEMO# 27904

February 21, 2014

Treasury Amends FATCA Regulations and Other Withholding Rules

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TO: BROKER/DEALER ADVISORY COMMITTEE No. 10-14 RE: TREASURY AMENDS FATCA REGULATIONS AND OTHER WITHHOLDING RULES

The Treasury Department and Internal Revenue Service (“IRS”) has released final and temporary regulations that amend the final regulations to implement the Foreign Account Tax Compliance Act (“FATCA”) that were published on January 28, 2013. [\[1\]](#) A PDF of these new regulations is available on the [IRS’ FATCA landing page](#). [\[2\]](#)

Final and temporary regulations were also released that revise certain provisions of the regulations regarding withholding on U.S. source income. These revisions were necessary to coordinate FATCA’s documentation, withholding, and reporting provisions with the other withholding provisions applicable to U.S. source income paid to foreign persons. A PDF of these new regulations is available on the [IRS’ FATCA landing page](#). [\[3\]](#)

We are studying the final and temporary regulations closely and will provide a detailed analysis soon.

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endnotes

[\[1\]](#) See Institute [Memorandum # 26906](#), dated January 17, 2013; [#26932](#), dated January 18, for highlights from the final regulations.

[\[2\]](#) A PDF of the regulations can be downloaded at:
<http://www.irs.gov/pub/irs-utl/FATCA-Temporary-and-Final-Regs-under-chapter-4.pdf>

[\[3\]](#) A PDF of the regulations can be downloaded at:
http://www.irs.gov/file_source/pub/irs-utl/Chapters-3-61-coordinating-regs.pdf

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