

MEMO# 31051

January 26, 2018

Germany - English Translation of FAQ on Status Certificate for Foreign Investment Funds

[31051]

January 26, 2018 TO: ICI Members

ICI Global Members

Tax Committee SUBJECTS: International/Global

Tax RE: Germany - English Translation of FAQ on Status Certificate for Foreign Investment Funds

The new German Investment Tax Law, effective 1 January 2018, requires certain foreign investment funds to provide a “Fund Status Certificate” to receive a reduced (15%) withholding tax on certain German income (e.g., dividends and capital gains). The Fund Status Certificate must be obtained from the German Federal Central Tax Office (BZSt).

The BZSt has released an English translation of a FAQ addressing the Fund Status Certificate (although the application form remains available only in German).^[1] The FAQ addresses both legal and procedural (“formal”) questions. Among the important legal questions answered in the FAQ are the following:

- A separate application for the issuance of a Status Certificate must be made for every individual fund and every sub-fund of an umbrella.
- The certificate can be issued with retroactive validity for a period of up to six months prior to the application date (*i.e.*, date the application was received by post) upon request.
- The certificate has a maximum validity of three years.

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endnotes

^[1] The English translation of the FAQ can be found here:

http://www.bzst.de/EN/Steuern_International/Auslaendische_Investmentfonds/FAQ/Status/FA

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