

**MEMO# 5824**

April 28, 1994

## **REVISIONS TO FORM W-9 AND INSTRUCTIONS**

April 28, 1994 TO: OPERATIONS MEMBERS NO. 14-94 TAX MEMBERS NO. 17-94 TRANSFER AGENT ADVISORY COMMITTEE NO. 17-94 RE: REVISIONS TO FORM W-9 AND INSTRUCTIONS

The Internal Revenue Service has released the attached revised Form W-9, Request for Taxpayer Identification Number and Certification and instructions for both the Form and payors requesting the Form. The Form has not been changed materially. The Instructions for the Requester of Form W-9, however, have been revised to include a new limitation on the use of substitute Form W-9s. Specifically, the instructions now provide that a payor "may not use a substitute form to require the payee, by signing, to agree to provisions unrelated to TIN certification." The Institute has already expressed concern regarding this change to the IRS. The Institute is preparing a further submission on this matter. Please contact the undersigned with any comments you have regarding the revised rules for substitute Forms W-9. We will keep you informed of further developments. Peter J. Cinquegrani Assistant Counsel-Tax Attachments

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