

Revised EoI law CRS & DD Procedures

Part 1

**Financial Services Bureau
Macao SAR**

28 March 2022



Agenda

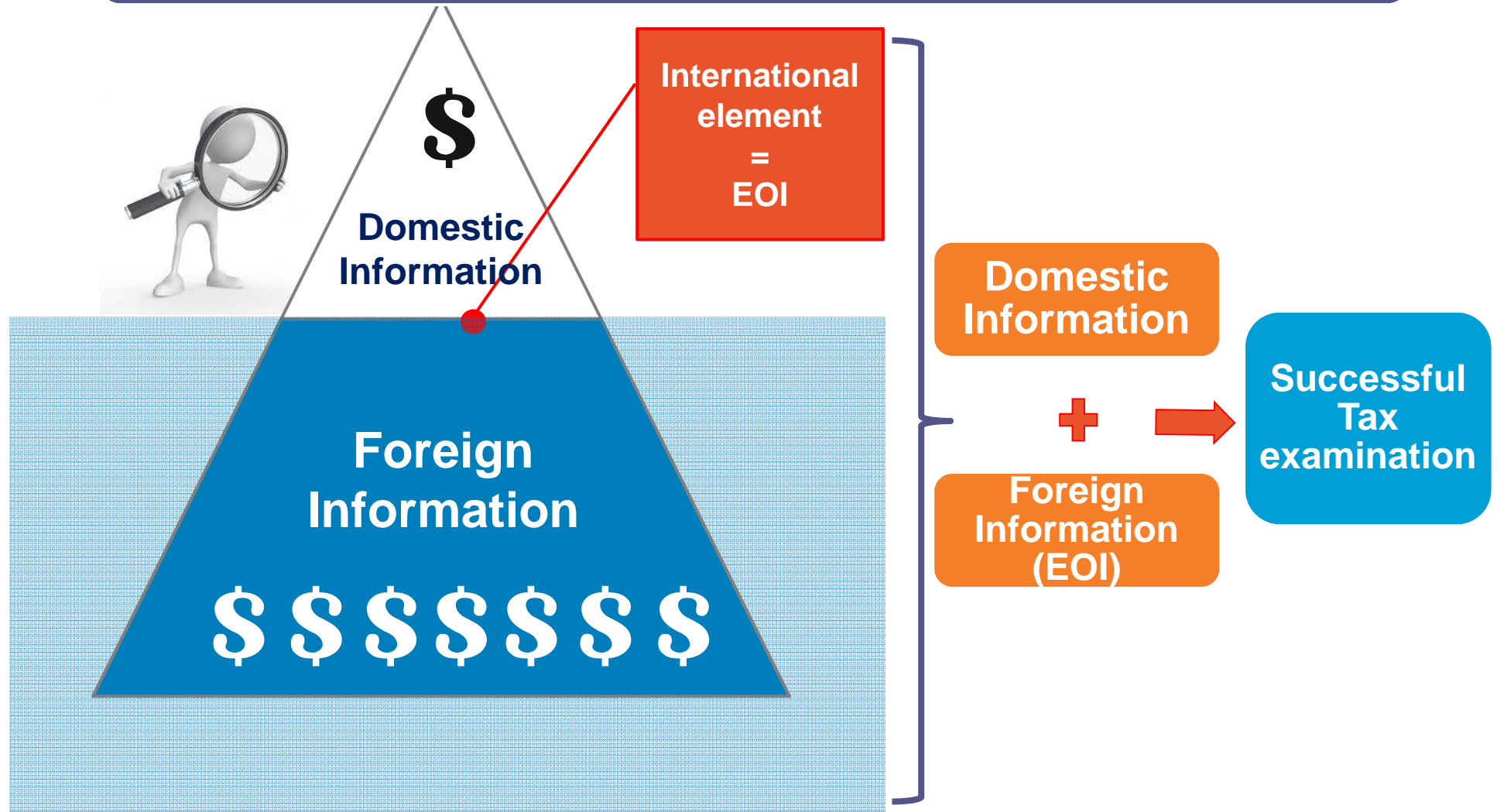
1. Overview of the EOI Law
2. The Amendments to the EOI Law
3. Additional guidance
4. New guidance on pension funds
5. FAQs

1. Overview of the EOI Law

The roots of the issue

- Globalization led to increasing cross-border investments
- Perception that it was easy to underreport - or not to report at all - offshore earnings (allowing also to avoid tax on income earned domestically)
- Well publicized cross-border tax evasion scandals focused political attention of major economies to the issue of offshore tax evasion (UBS; Liechtenstein)
- G20 attention: endorsement of new standard for EOI

EOI: the hidden part of the iceberg



The EOI standards

EOIR

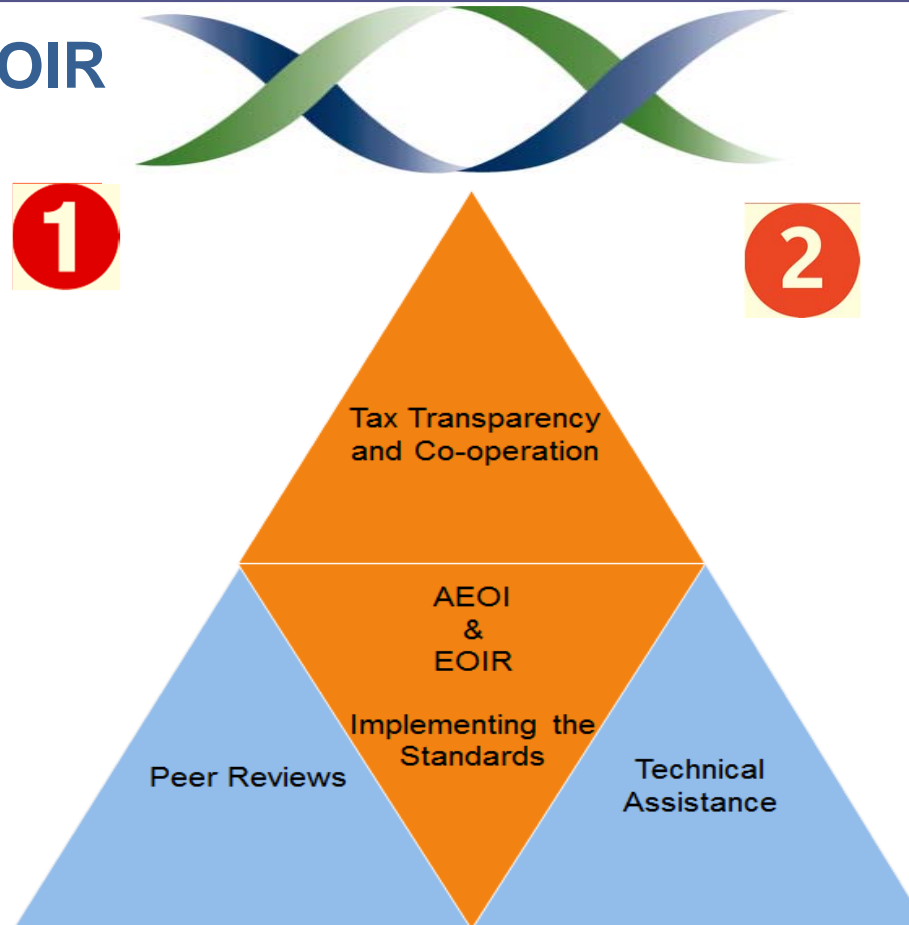
AEOI

Exchange of Information on Request (EOIR): request for particular taxpayer information from one jurisdiction to another arising from a case/audit

1

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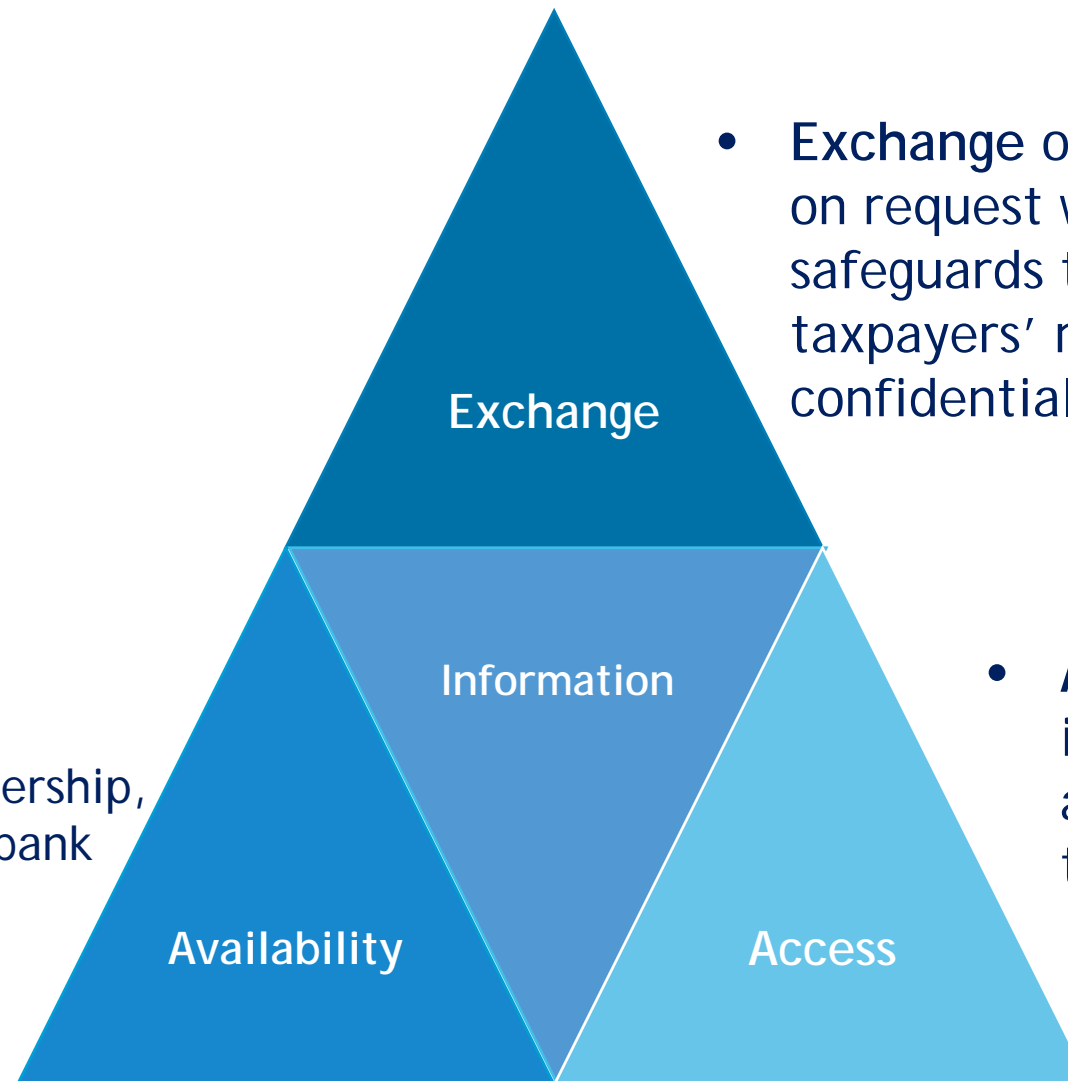
Automatic exchange of information (AEOI): systematic and periodic transmission of “bulk” financial account information under the **Common Reporting Standard (CRS)**



The EOI upon request standard



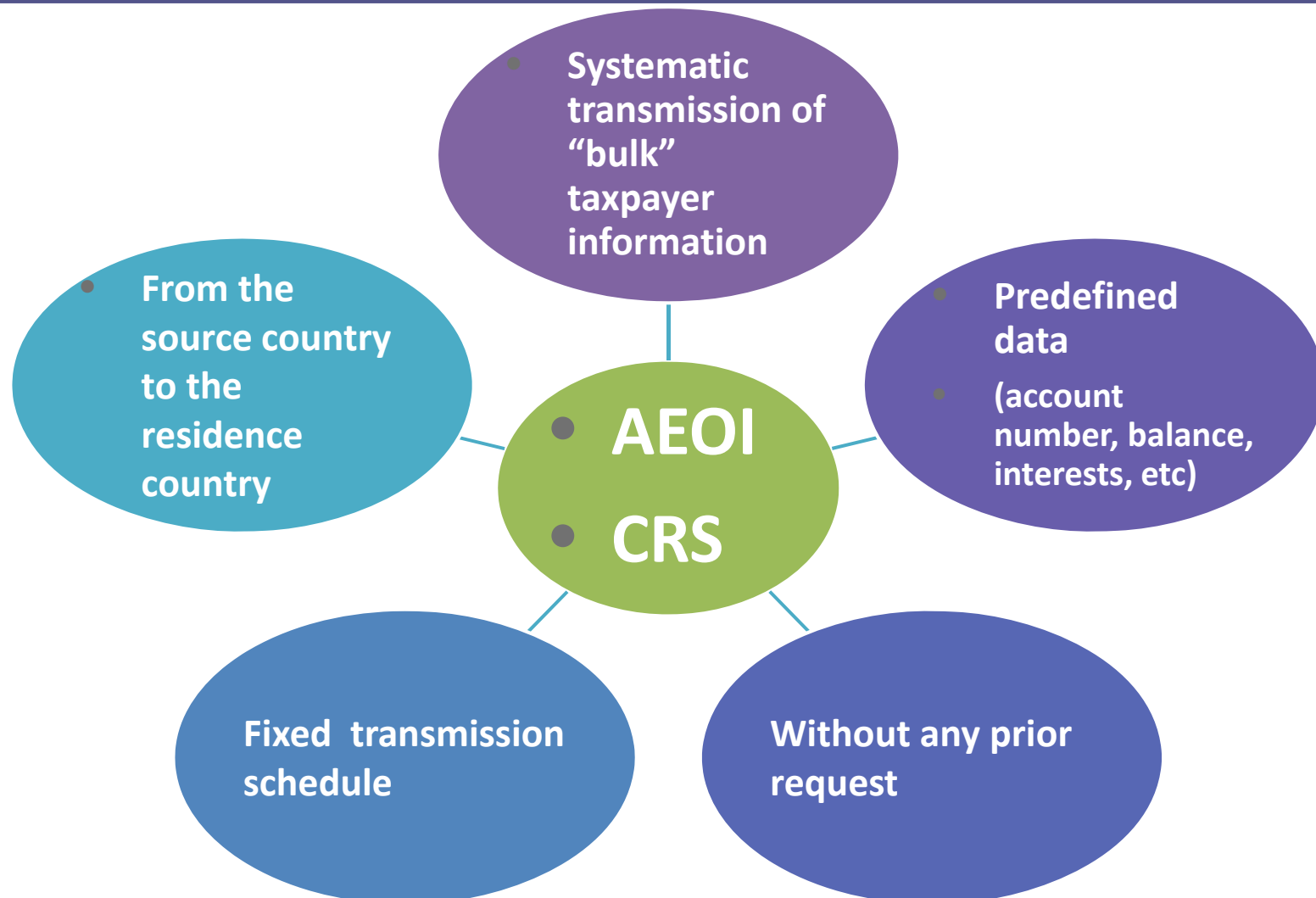
- **Availability** of information particularly ownership, accounting and bank information



- **Exchange** of information on request with safeguards to protect taxpayers' rights and confidentiality

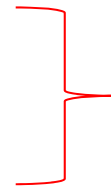
- **Access** to information and powers to obtain it

The AEOI standard

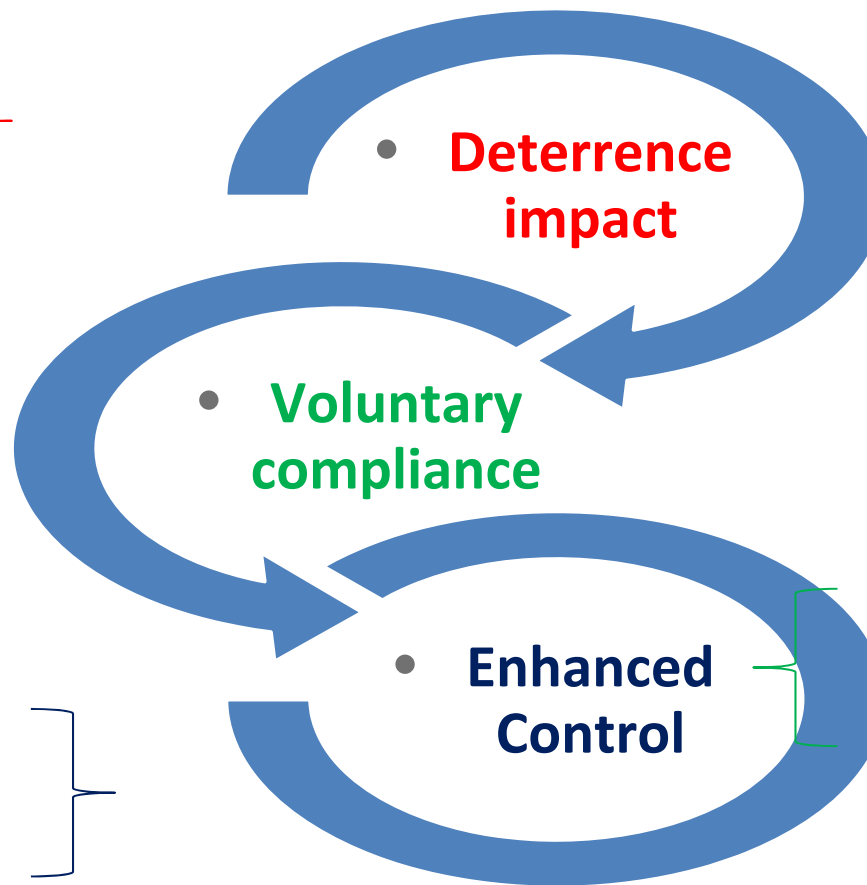


Why AEOI?

Taxpayers know its happening!
Improved taxpayer profiles, risk assessments, analytics

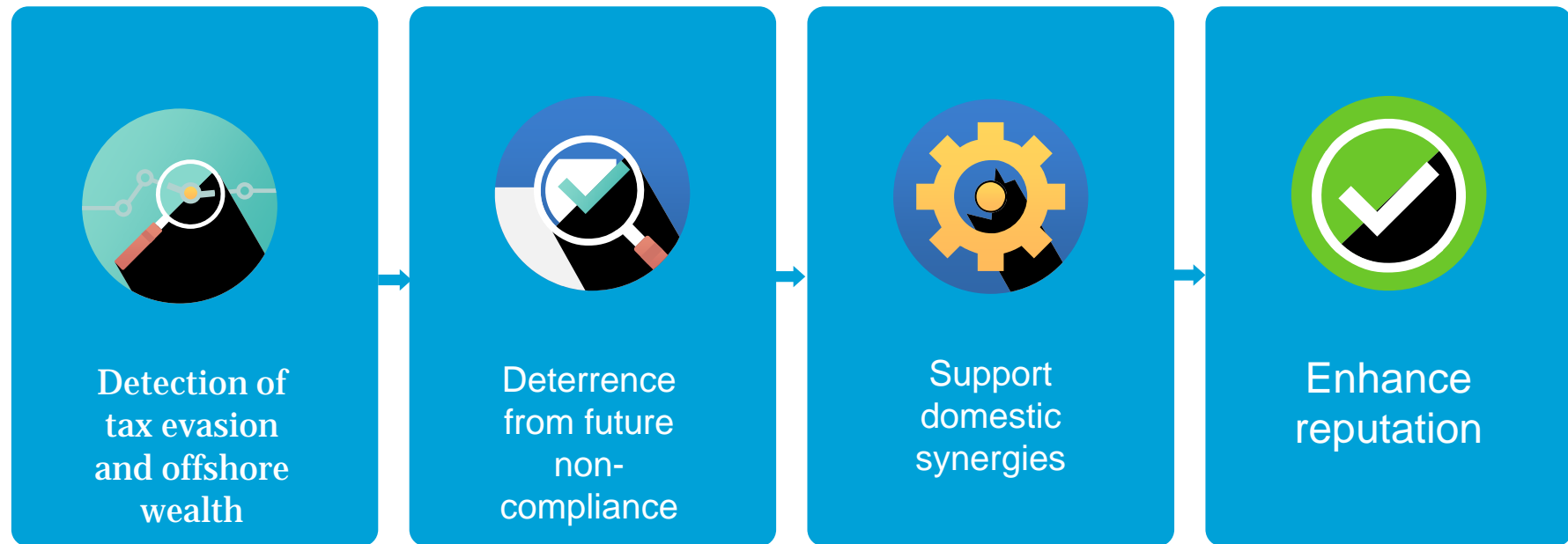


Data & analytics
Consistency of the tax return
Better taxpayer profiles
Increase of EOIR...
Business improvements



People more likely to voluntarily comply and come forward in disclosure programmes

Overall...



AEOI complements EOIR

EOI Law: Types of Eol

1. Law provides for the 3 types of Eol
 - A. Eol on request
 - B. Automatic Eol
 - C. Spontaneous Eol

Goal: align Macau legislation with international standards on exchange of information

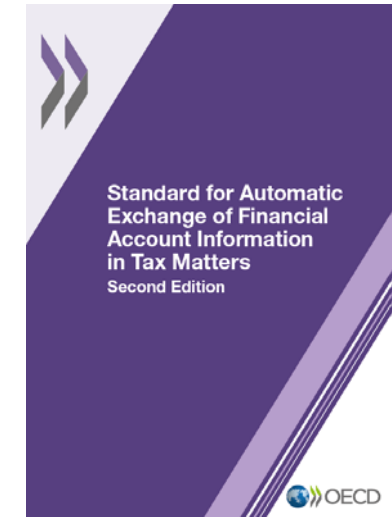
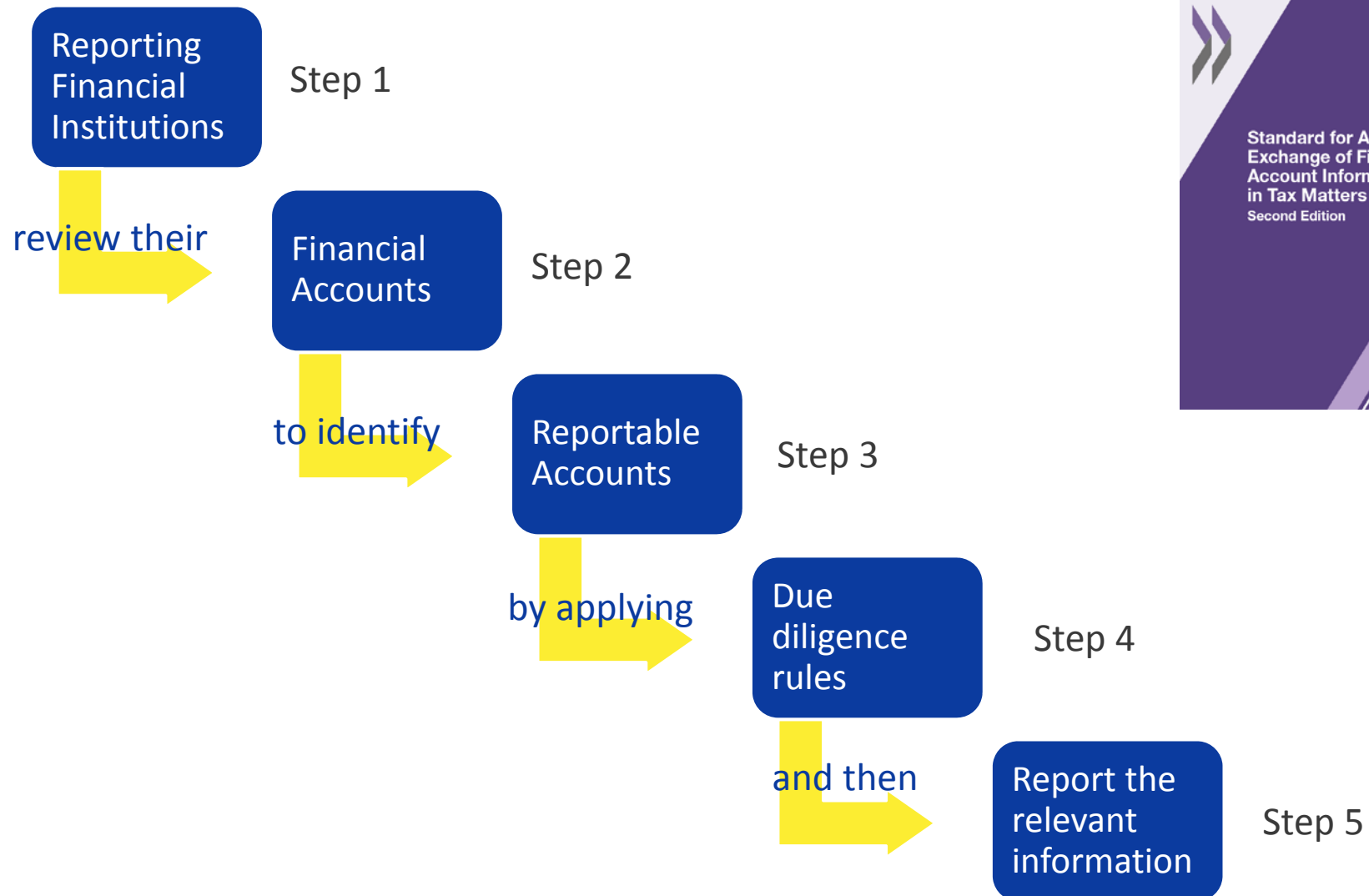
Automatic Eol: CRS

- Effectiveness on adoption of automatic exchange of information required standardization
- Not a by-product of domestic reporting but a model with global reach (avoid mismatches and conflicts)
- Therefore:
 - CRS:
 - ✓ Scope of information reported
 - ✓ Scope of account holders subject to reporting
 - ✓ Scope of financial institutions required to report

Automatic Eol: CRS & DD

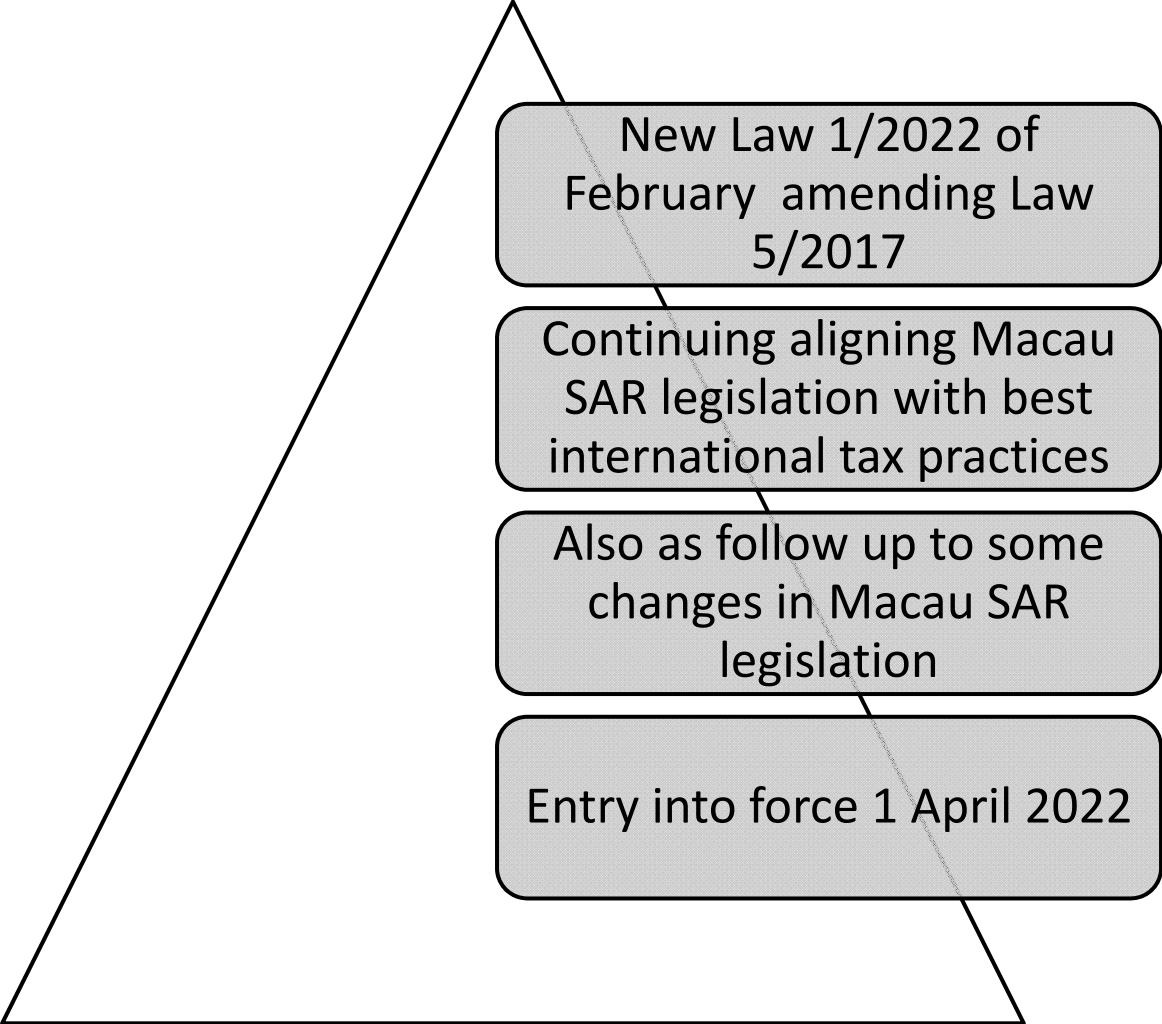
- Effectiveness of automatic exchange of information also requires a common set of procedures to be followed by financial institutions to:
 - ✓ Identify reportable accounts
 - ✓ Identify account holders
- DD procedures to be adopted by financial institutions
- Information collected on account holder identification should be kept for a certain period
- Non-compliance subject to penalties

5 Steps



2. The Amendments to the EOI Law

Overview of amendments



New Law 1/2022 of
February amending Law
5/2017

Continuing aligning Macau
SAR legislation with best
international tax practices

Also as follow up to some
changes in Macau SAR
legislation

Entry into force 1 April 2022

Overview of amendments



Scope (Art. 5)

Financial institutions

- To include: (i) non mandatory central provident funds and (ii) pension funds

Deletion of institutions in offshore activity

- Consequence of abolishment of offshore regimes
- Deletion in Art. 5 and references throughout the EOI Law

Scope



- Transitory regime for offshore institutions
- Law 1/2022 - Article 3
- Information maintained by offshore institutions which authorization has elapsed or otherwise has been revoked should comply with **all legal framework** set forth in EOI Law other than Chapter III (AEOI framework)
 - So rules on EOI upon request and Spontaneous EOI still applicable

Records keeping (Art 5 (3))



Removal of para. 3 of Article 5 limiting the EOI upon request time frame

Records keeping (Art. 10)

Information collected



Evidence relied upon and any records of the **steps undertaken** by the FIs during the information collection procedures



To be retained for a period of **5 years** beginning from the end of the year in which the RFI must report the required information

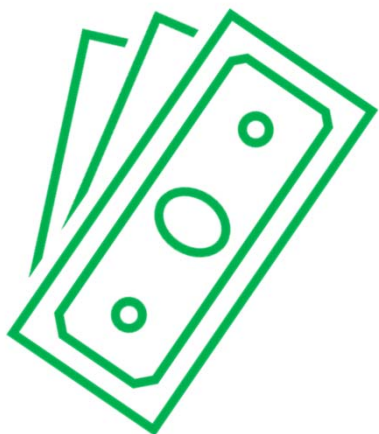


Anti-avoidance provision (Art. 10 (8))



- New provision to address circumvention of the reporting requirements and the DD procedures
- Provides that if any FIs, their agents or staff or any other person engage in a transaction or arrangement that has the purpose or one of the purposes to circumvent the CRS&DD procedures, then such transaction or arrangement should not produce any effect as regards EOI or the obligation to perform the CRS&DD procedures.

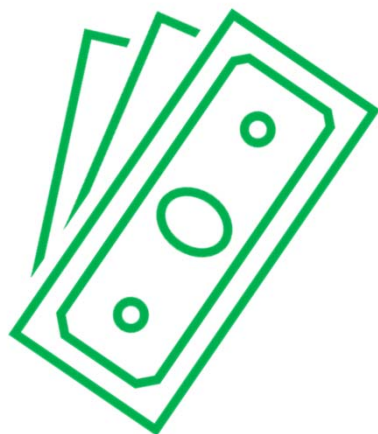
Penalties (Art. 14)



- Follows the penalties system that was in the law prior to the amendments
- Covered under para. 1 and para. 2 (CRS&DD procedures)
- Clarification of interaction between fines under para. 1 and 2 – only the most severe will apply
- Newly introduced:
 - Breach of anti-avoidance provision
 - Breach of the record keeping (as amended)
 - Failure to comply with obtaining relevant documentation for new accounts (notably self certification)
 - Failure to comply with DD

Penalties (Art. 14 (4))

Clarification of recidivism



Identical administrative violation is committed within a period of 2 years after the day when the administrative decision to impose sanctions has become unappealable



ADDED: as long as less than 5 years have elapsed since the date of the last administrative violation and the previous one

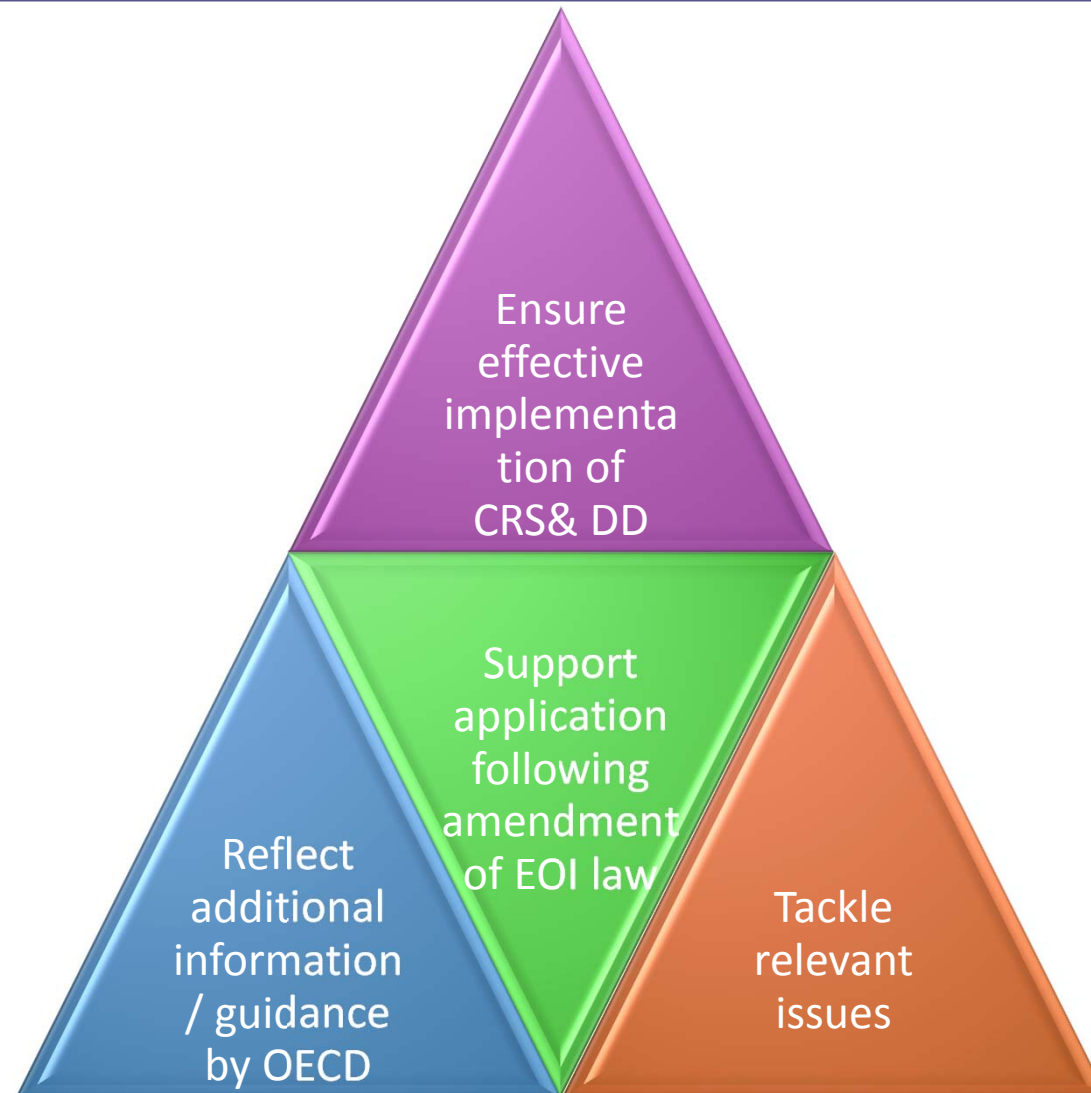
Wording improvements



- Improvements in the wording of some provisions
- Ensure more consistency throughout different legislative diplomas
- Materially irrelevant for the purposes of the law application and interpretation

3. Additional guidance

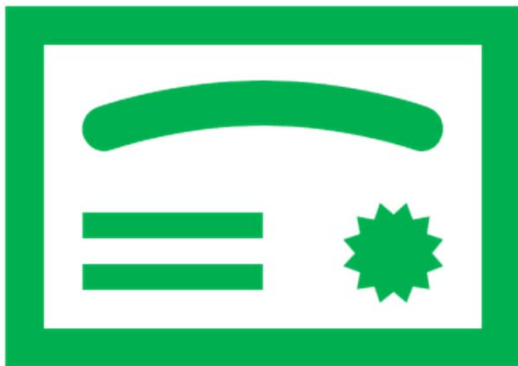
Overview of the guidance



Overview of the guidance

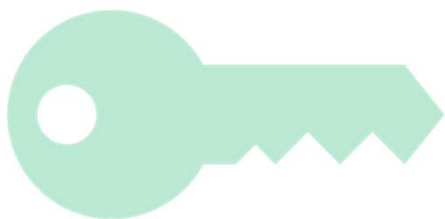


1. Self-Certification



Self-certification

1. Self-Certification



- Key issue for new accounts
- In general requirement to collect self-certification upon account opening to determine status of the account holder (reportable person?)
- Must confirm reasonableness of the self-certification

1. Self-Certification: new individual accounts

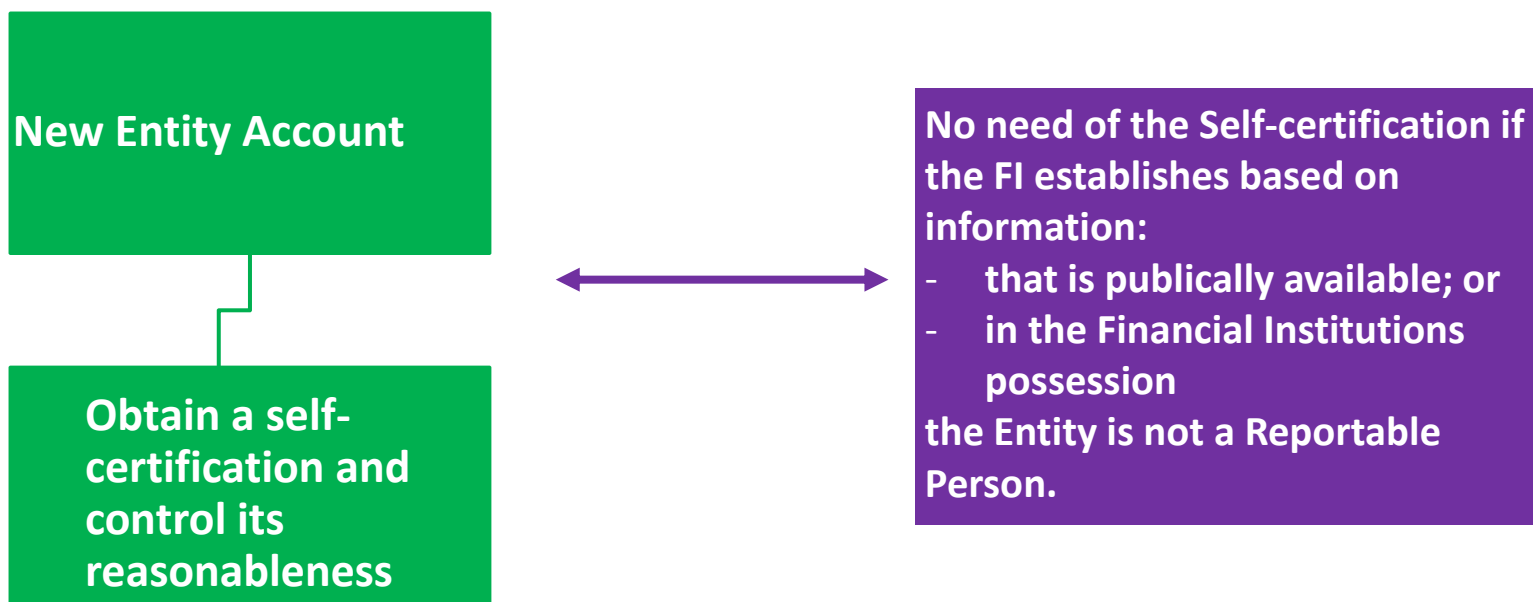
Always collect self-certification upon account opening to determine if Account Holder is a Reportable Person

- A valid self-certification must be obtained, establishing tax residency (ies).
- Must be signed/positively affirmed, dated, and include Account Holder's:
 - Name
 - Residence address
 - Jurisdiction(s) of residence for tax purposes
 - TIN(s)
 - Date of birth
 - Place of birth

Must confirm reasonableness of the self-certification

- Self-certification must be compared to other information obtained in connection with the account opening (e.g. AML/KYC).
- If unreliable, need either a new self-certification or a reasonable explanation and documentation.

1. Self-Certification: new entity accounts



Possibly reportable due to the Entity Account Holder

1. Self-Certification: new entity accounts

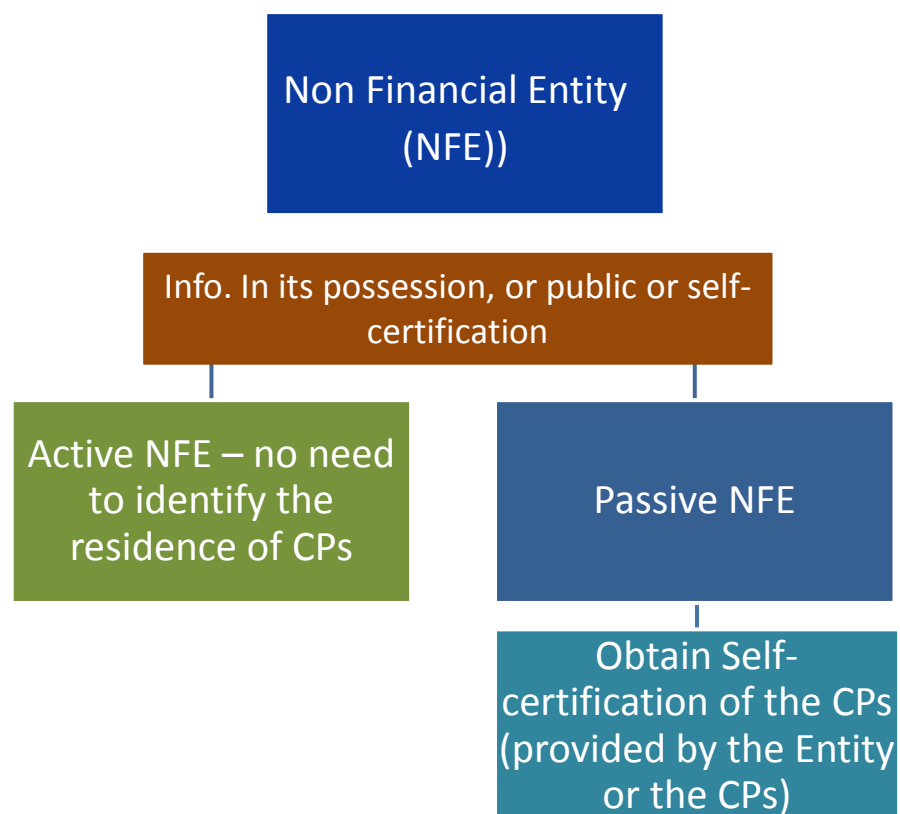
Always collect a Self-certification

- Unless, based on information that is publically available/in the Financial Institutions possession it is established the Entity is not a Reportable Person, a valid self-certification needs to be obtained establishing the Entity's residence for tax purposes.
- It must be signed/positively affirmed, dated and include the Account Holder's:
 - Name; Residence address; Jurisdiction(s) of residence for tax purposes; TIN(s)
- It may include if the Account Holder is a Passive NFE (assist in reporting due to controlling persons – next slides).

Must confirm reasonableness of the self-certification

- The self-certification must be compared to the other account opening information (e.g. AML/KYC).
- If found not to be reasonable a new self-certification is needed.

1. Self-Certification: new entity accounts



1. Self-Certification: new entity accounts

Establishing Entity status

- To establish whether the Account Holder is a Passive NFE the Financial Institution may use:
 - Information in its possession
 - Information that is publically available
 - A self-certification

Identify the Controlling Persons

- May rely on information collected for AML/KYC purposes if consistent with 2012 FATF Recommendations

Establishing the Controlling Person's status

- May only (MUST) use a self-certification by the Controlling Person or the Entity Account Holder

1. Self-Certification: relevant issues



- In principle self-certification is to be supplied on account-by-account basis
- However possibility for RFI to rely upon self-certification furnished by a customer (individual or entity) for another account if both accounts are treated as a single account
- Not possible in case RFI knows or has reasons to know that self-certification (or documentary evidence) is incorrect or inconsistent

1. Self-Certification: relevant issues



- Can treat as preexisting account irrespective of the date when it was opened provided that 4 requirements of subpara. C(9) of Sec. VIII of the CRS&DD procedures are met
- Follows preexisting account procedures

1. Self-Certification: validity



- Signed or otherwise positively affirmed by the account holder or person authorized to sign by account holder (in case of entities)
- Contains the relevant information



- Certificate remains valid unless RFI knows or has reasons to know that the original certification is incorrect or unreliable
- This may occur at the time a new account is opened by existing customer or due to change of circumstances
- If original self-certification becomes incorrect or unreliable the RFI must obtain valid self-certification or reasonable explanation and documentation

1. Self-Certification (or documentary evidence) : reliance



- RFI has reasons to know that self-certification (or documentary evidence) is unreliable or incorrect if:
 - Its knowledge of the relevant facts or statements in the self-certification - including from relevant relationship manager if any – is such that a **reasonably prudent person in the position of the RFI would question it**
 - Information in the documentation or the RFI's account files that conflicts with the customer claimed status

1. Self-Certification: standards of knowledge



- RFI has reasons to know that self-certification is unreliable or incorrect if:
 - It is incomplete with respect to relevant aspects on the claim by customer
 - It has inconsistent information with customer's claim
 - RFI has other account information that is inconsistent with the customer's claim

1. Documentary evidence: standards of knowledge



- RFI may not rely on documentary evidence if it does not reasonably establish the identity of the person presenting such evidence (e.g. photography or signature are inconsistent with the person presenting the document)
- Documentary evidence contains inconsistent information with customer's claim
- RFI has other account information that is inconsistent with the customer's claim
- Documentary evidence lacks information necessary to establish customer's status

2. Documentation and record keeping

Evidence relied upon AND any records of the steps undertaken by the FIs during the information collection procedures to support the determination of account holder's status should be retained for a period of 5 years beginning from the end of the year in which the RFIs must report the information required



2. Documentation and record keeping

Documentary evidence

Can be original or certified copy, a photocopy or at least a notation of the type of documentation reviewed, the date the documentation was reviewed and the documentation's identification number if any

Record keeping

- Can be as originals or photocopies and can exist in paper or electronic format
- If retained electronically should be in an electronically readable format
- Records obtained or created in connection with a reporting obligation (e.g. self certification) must be available to assess the validity of the reporting system
- All records must be available and stored in secure environment and available on request by DSF for verification of proper identification of reportable account

2. Documentation and record keeping

Record keeping

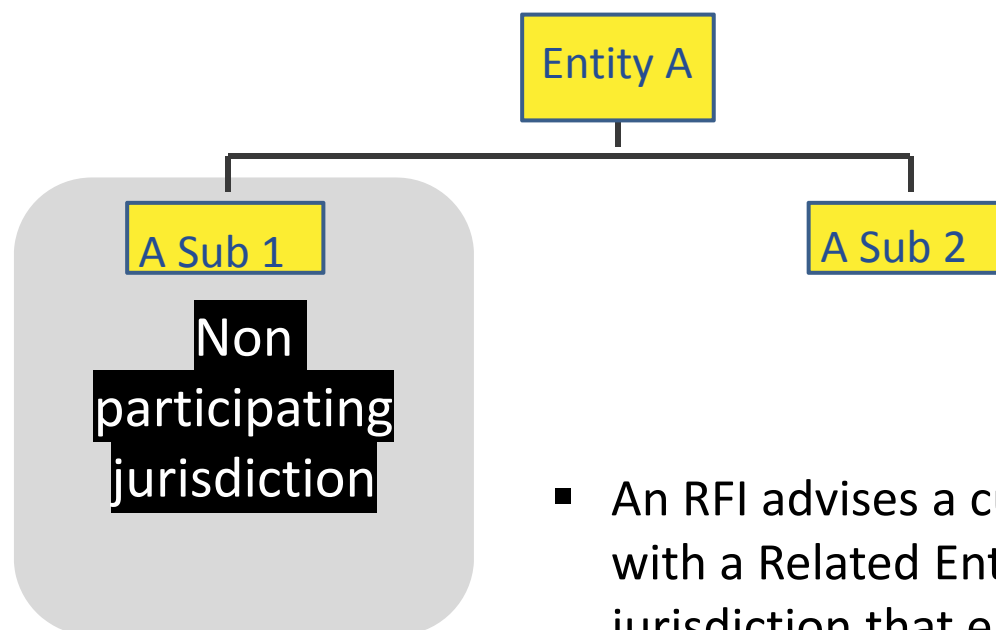
- Records of steps undertaken for the performance of reporting and DD procedures should be kept for compliance verification
- E.g.: reasonable steps for obtaining a TIN with respect to preexisting accounts where a procedural manual describing “appropriate efforts” is in place and also evidence (records such as back up files, date of handling and responsible personnel) as to how those policies and procedures are followed

3. Anti-avoidance rule



- Provision to address circumvention of the reporting requirements and the DD procedures
- Examples provided
- Some typical circumvention schemes

3. Anti-avoidance rule



- An RFI advises a customer to maintain an account with a Related Entity in a non-participating jurisdiction that enables the RFI to avoid reporting while offering to provide services and retain customer relations as if the account was maintained by the RFI itself.
- In such a case the RFI should be considered to maintain the account and have the resulting reporting obligations and due diligence requirements

3. Anti-avoidance rule

Example

Individuals or entities park balances from other reportable accounts with qualified credit card issues for a short period at the end of the year to avoid reporting

Example

RFI deliberately does not create any electronic records (such as electronic search would not yield any results) or maintains computerized systems artificially dissociated to avoid account aggregation rules.

3. Anti-avoidance rule



Examples of circumvention schemes

- **Citizenship and residence by investment (CBI/RBI)** allow individuals to obtain citizenship or residence rights through local investments or against a flat fee for perfectly legitimate reason
- Can also be potentially misused to hide their assets offshore by escaping reporting under CRS.
- In particular, identity cards and other documentation obtained through CBI/RBI schemes can potentially be misused or abused to misrepresent an individual's jurisdiction(s) of tax residence and to endanger the proper operation of the CRS due diligence procedures.
- OECD has published a list of potential high-risk CBI/RBI schemes that should be taken into account by RFIs

3. Anti-avoidance rule



Examples of circumvention schemes

- **Misuse and abuse of classification of Active NFE** - reported misclassification and abuse of the Active NFE categorization to avoid the identification and reporting of information on Controlling Persons.
- “Active NFEs” requires that both the “income test” (less than 50% of the gross income is passive income) and the “assets test” (less than 50% of the assets held are assets that produce or are held for the production of passive income) should be met to qualify as an Active NFE.
- Both abovementioned criteria should be fulfilled for correct classification.

3. Anti-avoidance rule



Examples of circumvention schemes

- **Zero Cash Value insurance policies or Irrevocable insurance policies** as schemes aimed that a nil value is reported
- Insurers facilitate their policyholders access to the value of the policy's assets via third party loans
- Misinterpretation of Cash value: the amount that may be borrowed under or with regard to the contract should be treated as cash value and reported accordingly
- Irrevocable insurance policies only as such if person has finally, fully and irrevocably renounced such rights

4. New guidance on pension funds

Pension funds DD and reporting obligations

- DD and reporting obligations of pension funds to be fulfilled by a management company (managing pension funds)
- Pension funds within the scope of EOI law and therefore DD and reporting obligations are the responsibility of pension funds
- Pension funds may rely on self-certifications and relevant documents collected from account holders by the management company
- For preexisting accounts held by individuals or entities – multiple accounts to be aggregated for purposes of determining the threshold

Pension funds DD and reporting obligations

Ordering rules

	Calculation Status of Account Balance or Value	Account Balance or Value
1	With calculation	The balance or value indicated in the report
2	Without calculation	2.1 Acquisition value (historical contributions)
		2.2 The account balance will be the total value of the property of the Pension Funds for both employers and employees.

Pension funds DD and reporting obligations

Account Categories			Threshold (MOP)	With an aggregate account balance or value that exceeds the threshold as of 31/12/2021	With an aggregate account balance or value that does not exceed the threshold as of 31/12/2021 but exceeds the threshold as of 31/12/2022, or as of 31 December of any subsequent calendar year	Review Requirement	First reporting year of the accounts that are identified as Reportable Accounts
Preexisting Accounts	Individual Accounts	High Value Accounts	>8 million	✓	---	Should be completed by 31/12/2022	2023
		High Value Accounts	>8 million	✗	✓	Should be completed by the end of the calendar year following the year in which such accounts became High Value Accounts (Example 1)	The calendar year following the year in which the accounts became Reportable Accounts
		Low Value Accounts	≤8 million	✗	✗	Should be completed by 31/12/2023	2023 or 2024 (Example 2)
	Entity Accounts	---	>2 million	✓	---	Should be complete by 31/12/2023	2023 or 2024
		---	>2 million	✗	✓	Should be completed by the end of the calendar year following the year in which the aggregate account balance or value exceeded the threshold as of 31 December (Example 3)	The calendar year following the year in which such accounts became Reportable Accounts
		---	≤2 million	✗	✗	Not required to be reviewed	Not required to be reported

Pension funds DD and reporting obligations

Account type	Example 1
<p>Individual high value preexisting account (>8 million)</p> <p>Account with an aggregate account balance or value that does not exceed the threshold as of 31/12/2021 but exceeds the threshold as of 31/12/2022, or as of 31 December of any subsequent calendar year</p> <p>Review to be completed by the end of the calendar year in which such accounts became high value accounts.</p>	<p>Where the aggregate account balance or value of a Preexisting Individual Account does not exceed MOP8 million as of 31/12/2021 but the aggregate balance or value exceeds MOP8 million as of 31/12/2022, the review of the account should be completed by the calendar year following 31/12/2022, namely by 2023. And the account information should be reported not later than 30/6/2024 if the account was identified as a Reportable Account.</p>

Pension funds DD and reporting obligations

Account type	Example 2
Individual low value account ≤ 8 million	The review of a Preexisting Individual Low Value Account should be completed by 31/12/2023. The reporting year depends on the time at which the account is identified as a Reportable Account. In other words, if the review is completed on or before 31/12/2022, the information of such account should be reported not later than 30/6/2023; if the review is completed in 2023, the information of such account should be reported not later than 30/6/2024.

Pension funds DD and reporting obligations

Account type	Example 3
<p>Entity account with value (>2 million) Account with an aggregate account balance or value that does not exceed the threshold as of 31/12/2021 but exceeds the threshold as of 31/12/2022, or as of 31 December of any subsequent calendar year</p> <p>Review to be completed by the end of the calendar year following the year in which</p>	<p>Where the aggregate account balance or value of a Preexisting Entity Account does not exceed MOP2 million as of 31/12/2021 but the aggregate account balance or value exceeds MOP2 million as of 31/12/2022, the review of such account should be completed by the calendar year following 31/12/2022, namely by 2023.</p> <p>And the information of such account should be reported not later than 30/6/2024 if the account is identified as a Reportable Account</p>

Pension funds DD and reporting obligations

Account Categories			Threshold (MOP)	With an aggregate account balance or value that exceeds the threshold as of 31/12/2021	With an aggregate account balance or value that does not exceed the threshold as of 31/12/2021 but exceeds the threshold as of 31/12/2022, or as of 31 December of any subsequent calendar year	Review Requirement	First reporting year of the accounts that are identified as Reportable Accounts
New Accounts	Individual Accounts	---	---	---	---	Conduct review upon account opening	The calendar year following the year in which the accounts became Reportable Accounts
	Entity Accounts	---	---	---	---	Conduct review upon account opening	The calendar year following the year in which the accounts became Reportable Accounts

5. FAQs

Q1: The non-mandatory central provident funds and pension funds are included in the scope of information exchange. Does the government have a due diligence process and the timeline for the treatment of pre-existing accounts for those financial institutions maintaining such accounts?

A: Yes. There are FAQs on Fulfillment of Due Diligence and Reporting Obligations of Pension Funds published.

Q2: Must financial institutions obtain self-certification upon account opening following the law amendment?

A:

- In general, yes. An RFI -, regardless of Individual Account or Entity Account,- must obtain a self-certification on an account-by-account basis.
- However, an RFI may rely upon the self-certification furnished by a customer for another account if both accounts are treated as a single account.
- Exception for New Entity Accounts, if RFI may first reasonably determine based on information in its possession or that is publicly available, that the Account Holder is not a Reportable Person.
- Also in some cases possibility to treat a financial account always as preexisting account provided that 4 prerequisites are met.

Q3: The amended provision stipulates that any evidence relied upon and any records of the steps undertaken by financial institutions during the information collection procedures shall be retained by financial institutions. What are the actual requirements and steps?

A: The purpose of retaining relevant evidence and records is to ensure and verify the compliance and effective implementation of due diligence procedures and information reporting by financial institution.

Commentaries to the CRS&DD

The Further Guidance on Performing Obligations under “The Common Reporting Standard and the Due Diligence Procedures for Financial Account Information” recently launched also provides relevant information.

Q4: The new provision of Paragraph 10 of Article 8 stipulates: “Where financial institutions, their agents and staff, or any other persons engage in a transaction or arrangement where the intention, or one of the intentions, is to circumvent an obligation under the Instructions, such transactions or arrangements are considered null and void for the purpose of information exchange and Instructions’ implementation and do not hinder the implementation of Instructions.”. What is the implication of “to circumvent an obligation under the Instructions”?

A: The implication is that such transactions or arrangements shall not produce effects and they are subject to administrative fine.

It should be reminded that although financial account holders or their agents have no direct obligation to the Instructions, they remain obliged to provide financial institutions with genuine and complete information and declarations so that the latter can identify whether their clients are foreign residents for tax purposes. If the customer deliberately provides misleading, false or incorrect information to avoid being reported, he/she is also circumventing the Instructions.

Q5: The additional penalty provision for violating or circumventing the Instructions applies to any person engaging in the act (a transaction or arrangement). Is the scope applicable too large?

A: The requirements and recommendations of OECD on the Due Diligence Procedure suggest that the scope of the provision to prevent violations or circumvention of the Instructions should not only be limited to financial institutions and their staff. It also includes financial account holders and their agents who have no direct implementation obligations. Likewise, the transactions or acts involved are not only limited to financial activities. For example, intermediaries (such as accountants, lawyers or financial consultants) engaging in non-financial activities can manage or advise on the affairs of their clients to circumvent. Therefore, a penalty is applied to any person engaging in the act to deter all kinds of circumventing transactions or arrangements to ensure the effective implementation of due diligence procedures.

Q6: Does the term “any other persons” in the new anti-avoidance provision of paragraph 8 of Article 10 include customers? Are banks obliged to advise their customers of the consequence of violation or circumvention?

A: The term does include customers while law and the Instructions do not require financial institutions to inform customers on the consequences of violations or circumvention.

Still reminders to customers can definitely help promote the compliance and effective implementation of the automatic exchange of financial account information.

Q7: Though a Financial Institution has formulated and implemented measures and schemes to prevent circumvention, it seems inevitable that there exists staff with the intent to circumvent internal or legal requirements. In such case, is the financial institution liable for the violations of its staff?

A: For circumvention by the staff of a financial institution, if the financial institution can prove that it has formulated and adopted appropriate procedures and measures following the law, the Instructions and the “Commentaries” to prevent violations, it can be deemed that the financial institution has fulfilled the compliance obligation.

Q8: If a financial institution fails to verify the reasonableness of the self-certification of a new individual account under Paragraph 1 of Article 4 of the Instructions and conducts circumvention arrangements for a client, what will be the administrative penalty imposed?

A: The case violates the provisions of No. 4 of Paragraph 1 of Article 14 (conducting circumventing transactions or arrangements) of the Amended EOI Law and Paragraph 2 of the same article (non-compliance with the Instructions). As stipulated in the provision of Paragraph 3 of Article 14: “When the same fact constitutes simultaneously an administrative violation of the provisions provided in the two preceding paragraphs, the offender is only imposed with the heavier penalty.”, the heavier penalty will be levied. Thus, the offender will be imposed a fine of MOP6,000 to 60,000 as per the provision of No. 4 of Paragraph 1 of Article 14.

Q9: Please elaborate on the definition of “recidivism” in the provision of No. 4 of Article 14 of the Law. Suppose a bank fails to obtain a self-certification from a client opening a new account on 1st April of this year and provides services to him. The bank is then penalized for the violation of the law on 1st May of the same year and it filed an appeal subsequently. The final sentence is made on 31st March 2023 and it is a non-appealable decision. If the bank commits the same violation on 1st April 2023, is it considered recidivism?

A: The failure to request self-certification gives rise to an administrative fine in breach of both EOI Law (Article 14 (1) 3)) and the CRS&DD procedures. In case the first violation occurred in 1st April 2022 with a non-appealable decision happening in 31st March of 2023. If same violation happen of 1st April 2023 there is recidivism since:

- a) Same violation occurs within 2 years after the administrative decision became non-appealable
- b) Between first and second violation there is less than 5 years.

修改《稅務信息交換法律制度》 講解會

第二部份

金融帳戶信息自動交換 - 改善報送信息質量

2022年3月28日

澳門特別行政區政府
財政局



引言

金融帳戶信息自動交換(AEOI)

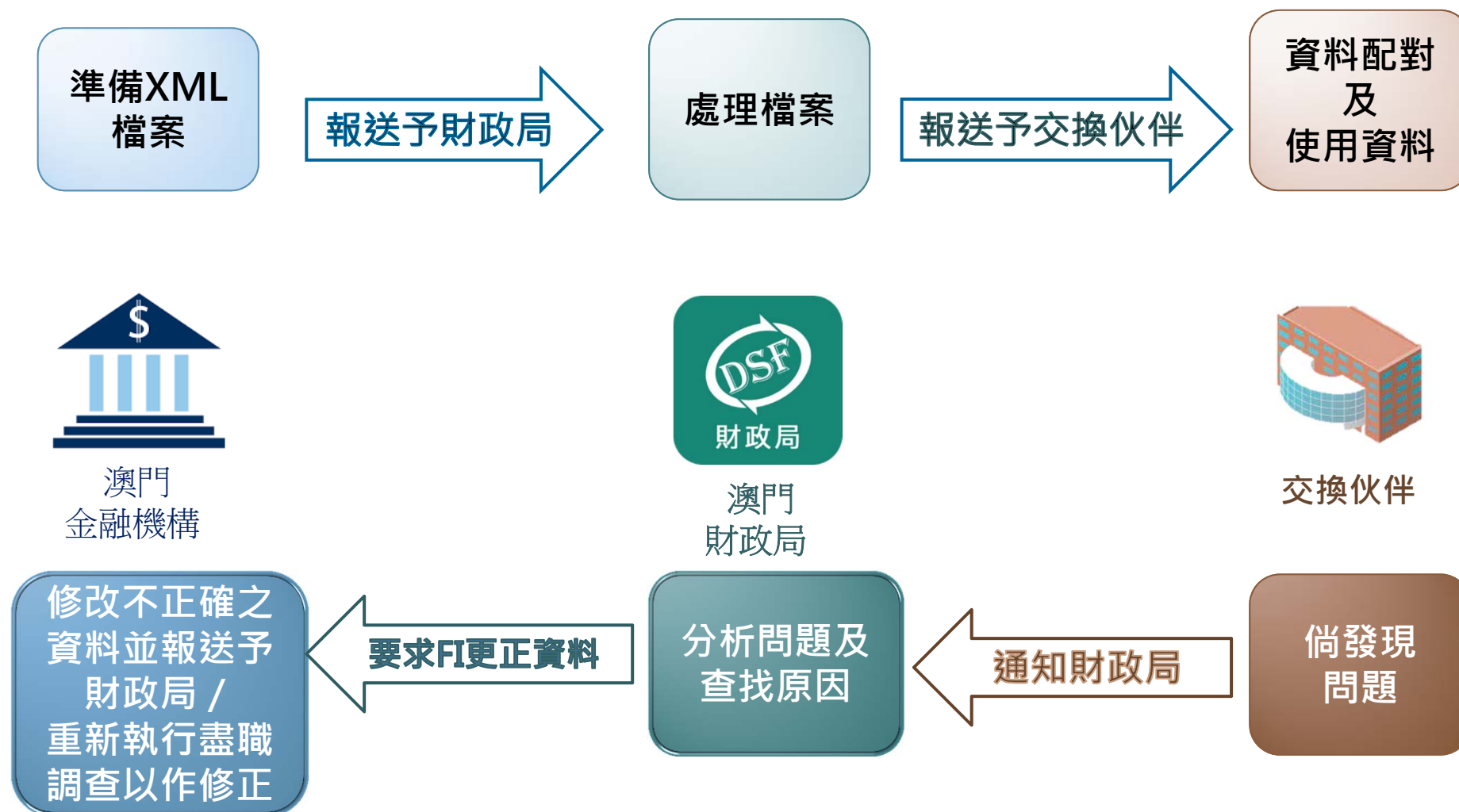
目的

提升稅務透明度及打擊跨境逃漏稅活動。

要求

- 遵循通用報送標準(CRS)；
- 正確履行盡職調查及報送義務；
- 提供準確且可靠的信息。

信息交換及回饋流程



信息質量概況

問題	相關數據(如有)	
	交換伙伴反饋	財政局數據分析 (資料年度2020之信息為例)
沒有TIN/非TIN資料	<ul style="list-style-type: none"> ● 高達66%沒有報送稅務編號 ● 報送非稅務編號資料 	報送信息中 <ul style="list-style-type: none"> ● 多於60%沒有報送稅務編號 ● 約2萬筆記錄含非稅務編號資料，如“0”、“Null”、“A”等
使用NFN	高達78% FirstName元素內之資料為“NFN”	報送信息中，約80% FirstName元素內之資料為“NFN”(部份金融機構報送“NFN”之比率為100%)
沒有報送出生地	沒有報送出生地	報送信息中，約88%沒有報送出生地(超過一半金融機構沒有報送個人/控制人出生地)

提升配對率
減少後續跟進

%



改善報送信息質量

所涉及的包括但不僅限於以下內容：

- 1 稅務編號(TIN)
- 2 帳戶持有人姓名(名字及姓氏)
- 3 出生資料(出生日期及出生地)
- 4 地址
- 5 語言

1. 稅務編號(TIN)

常見問題一：未能提供稅務編號時，輸入非TIN的內容

<AccountHolder>
 <Individual>
 <ResCountryCode>JP</ResCountryCode>
 <TIN>No TIN</TIN>



Reason A
Null
Nil
0

000000000

正確處理：
應刪除整個元素。

<AccountHolder>
 <Individual>
 <ResCountryCode>JP</ResCountryCode>
 ~~<TIN>No TIN</TIN>~~



刪除整個元素

1. 稅務編號(TIN)

(續)

常見問題二：沒有報送稅務編號(TIN)

正確處理：



- 須按規定收集帳戶持有人或控制人的稅務編號，並報送予財政局。
- 倘未能按規定收集及報送該所需信息，仍須盡努力取得相關的稅務編號。

1. 稅務編號(TIN)

(續)

報送個人/控制人的稅務編號

例：帳戶持有人/控制人擁有加拿大及澳門稅務居民身份

於ResCountryCode元素內分別輸入 "CA" 及 "MO"，並於 TIN 元素內輸入對應之稅務編號及issuedBy。

如只提供澳門的稅務編號，而沒有提供加拿大的稅務編號，對於加拿大來說，此情況視為沒有提供稅務編號。



<Individual>

<ResCountryCode>CA</ResCountryCode>

<ResCountryCode>MO</ResCountryCode>

<TIN issuedBy="CA">882356210</TIN>

<TIN issuedBy="MO">51234560</TIN>

<Individual>

<ResCountryCode>CA</ResCountryCode>

<ResCountryCode>MO</ResCountryCode>

<TIN issuedBy="MO">51234560</TIN>

1. 稅務編號(TIN)

(續)

報送 “實體的識別編號(IN)”

例：實體擁有加拿大稅務居民身份及相關的稅務編號

```
<AccountHolder>  
  <Organisation>  
    <ResCountryCode>CA</ResCountryCode>  
    <IN issuedBy= "CA" type= "TIN" >882305621</IN>
```

於ResCountryCode元素內
輸入 “CA” ，並 於issuedBy ，
type 及IN輸入對應資料。

type:

- a TIN
- BRN : Business Registration Number
- US GIIN
- Company Registration Number
- EIN: Global Entity Identification Number
- etc.

1. 稅務編號(TIN)

(續)

常見問題三：提供錯誤的稅務編號(TIN)

正確處理：

- 應核對所取得的稅務編號結構及載有稅務編號的官方文件(如有)，以確保報送正確信息。

(可透過以下網址參閱OECD公佈有關稅務編號的文件內容)

<https://www.oecd.org/tax/automatic-exchange/crs-implementation-and-assistance/tax-identification-numbers/>

Automatic Exchange Portal

Online support for the implementation of automatic exchange of information in tax matters

HOME

ABOUT AUTOMATIC
EXCHANGECOMMON REPORTING
STANDARD (CRS)INTERNATIONAL
FRAMEWORK FOR
THE CRSCRS
IMPLEMENTATION
AND ASSISTANCECOMMITMENT AND
MONITORING
PROCESS

TAX IDENTIFICATION NUMBERS



This section provides an overview of domestic rules in the jurisdictions listed below governing the issuance, structure, use and validity of Tax Identification Numbers ("TIN") or their functional equivalents. The jurisdiction-specific information the TINs is split into a section for individuals and a section for entities and can be accessed by clicking on the name of the jurisdiction below. Each jurisdiction has provided the OECD Secretariat with input on its current rules in relation to the issuance, structure, use and validity of its TINs. While the jurisdictions and the OECD endeavour to keep the information as accurate and up to date as possible, the information in this section is to be considered as preliminary guidance only. If further questions in relation to a TIN arise, it is recommended that the tax administration of the relevant jurisdiction be contacted directly.

Latest update: 4 March 2022 (Click here for breakdown of updates)

- | | | | |
|--|-----------------------------------|----------------------------------|--|
| Albania | Cyprus | Kazakhstan | Portugal |
| Andorra | Czech Republic | Korea | Qatar |
| Anguilla | Denmark | Kuwait | Romania |
| Antigua and Barbuda | Dominica | Latvia | Russian Federation |
| Argentina | Ecuador | Lebanon | Saint Kitts and Nevis |
| Aruba | Estonia | Liechtenstein | Saint Lucia |
| Australia | Faroe Islands | Lithuania | Saint Vincent and the Grenadines |
| Austria | Finland | Luxembourg | Samoa |
| Azerbaijan | France (GNFR) | Macao (China) | San Marino |
| The Bahamas | Georgia | Malaysia | Saudi Arabia |
| Bahrain | Germany | Maldives | Seychelles |
| Barbados | Ghana | Malta | Singapore |
| Belgium | Gibraltar | Marshall Islands | Sint Maarten |
| Belize | Greece | Mauritius | Slovak Republic |
| Bermuda | Greenland | Mexico | Slovenia |
| Brazil | Grenada | Monaco | South Africa |
| British Virgin Islands | Guernsey | Montserrat | Spain |
| Brunei Darussalam | Hong Kong (China) | Nauru | Sweden |
| Bulgaria | Hungary | Netherlands | Switzerland |
| Canada | Iceland | New Zealand | Trinidad and Tobago |
| Cayman Islands | India | Norway | Turkey |
| Chile | Indonesia | Nigeria | Turks and Caicos Islands |
| China | Ireland | Oman | United Arab Emirates |
| Colombia | Isle of Man | Pakistan | United Kingdom |
| Costa Rica | Israel | | United States |

China

例如：查閱內地的稅務編號結構

Section II TIN Structure

納稅人類別

individual (using Chinese ID card as its identification)

稅務編號格式

99999999999999999999

9999999999999999999x

說明

18 numerals or 17 numerals followed by letter "x"

Section II – TIN Structure		
The structure of TIN varies depending on the types of taxpayer.		
For entities, it consists of 15 characters (old TIN regime) or 18 characters (new TIN regime).		
For an individual using Chinese ID card as its identification, TIN is its ID number which consists of 18 characters. For an individual using passport or other ID certificate as its identification, TIN is assigned in the following format. In some areas, passport numbers are also recognized as TIN for foreign individuals.		
Type of taxpayer	Format	Explanation
Entity	999999999999999 (old TIN)	For the old TIN regime, there are 15 numerals. While for the new TIN regime, there are 18 numerals with sometimes letters appearing in the last 10 characters, especially the 9 th , 10 th , 13 th and 18 th .
	9999999999999999 (new TIN)	
	99999999x999999999 (new TIN)	
Individual (using Chinese ID card as its identification)	99999999999999999 9999999999999999x	18 numerals or 17 numerals followed by letter "x"
Individual (using Chinese passport as its identification)	C9999999999999999 C9999999999999999x	First character is "C" followed by 17 numerals or 16 numerals with a letter.
Individual (using Foreign passport as its identification)	W9999999999999999 W9999999999999999x	First character is "W" followed by 17 numerals or 16 numerals with a letter.
Individual (using Soldier card as its identification)	J999999999999999	First character is "J" followed by 14 numerals.
Individual (using Mainland Travel Permit for Hong Kong Residents as its identification)	H9999999999999999 H9999999999999999x	First character is "H" followed by 17 numerals or 16 numerals with a letter.
Individual (using Mainland Travel Permit for Macau Residents as its identification)	M9999999999999999 M9999999999999999x	First character is "M" followed by 17 numerals or 16 numerals with a letter.
Individual (using Mainland Travel Permit for Taiwan Residents as its identification)	T9999999999999999 T9999999999999999x	First character is "T" followed by 17 numerals or 16 numerals with a letter.

2. 帳戶持有人姓名(名字及姓氏)

常見問題：FirstName及LastName元素內資料不正確

例：帳戶持有人/控制人姓名為**SONG, KA IAN**
可區分**SONG**為姓氏，**KA IAN**為名字



情況一

可區分姓氏及名字的情況下，
錯誤使用“NFN”。



```
<Name nameType="OECD207">  
  <FirstName>NFN</FirstName>  
  <LastName>SONG KA IAN</LastName>  
</Name>
```

情況二

於FirstName及LastName
元素內重複輸入姓氏及名字。



```
<Name nameType="OECD207">  
  <FirstName>SONG KA IAN</FirstName>  
  <LastName>SONG KA IAN</LastName>  
</Name>
```

情況三

以“-”號或其他符號代替
FirstName。



```
<Name nameType="OECD207">  
  <FirstName>-</FirstName>  
  <LastName>SONG KA IAN</LastName>  
</Name>
```

2. 帳戶持有人姓名(名字及姓氏)

(續)

正確處理：FirstName及LastName元素內輸入正確資料



情況一：可區分名字和姓氏

例：SONG為姓氏，KA IAN為名字

分別於FirstName及LastName元素內輸入名字及姓氏。

```
<Name nameType="OECD207">  
  <FirstName>KA IAN</FirstName>  
  <LastName>SONG</LastName>  
</Name>
```

情況二：名字和姓氏相同

例：LEI為姓氏，LEI為名字

分別於FirstName及LastName元素內輸入名字及姓氏。

```
<Name nameType="OECD207">  
  <FirstName>LEI</FirstName>  
  <LastName>LEI</LastName>  
</Name>
```

情況三：沒有完整名字

例：身份證明文件之姓名只有一個字
SULLIVAN

於FirstName元素內輸入“NFN”，
且於LastName元素內輸入姓名。

```
<Name nameType="OECD207">  
  <FirstName>NFN</FirstName>  
  <LastName>SULLIVAN</LastName>  
</Name>
```

3. 出生資料

正確報送出生日期

只要金融機構在開戶、取得自證證明、執行AML/CFT程序或其他程序時已取得有關須報送人的出生日期資料，就須要將該信息報送予財政局。

倘未能按規定收集及報送該所需信息，仍須盡努力取得相關出生日期。


3. 出生資料

(續)

正確報送出生地

只要報送信息的金融機構所擁有的電子查詢資料中可獲取出生地資料，或金融機構在開戶、取得自證證明、執行AML/CFT程序或其他程序時已取得有關須報送人的出生地資料，就須要將該信息報送予財政局。

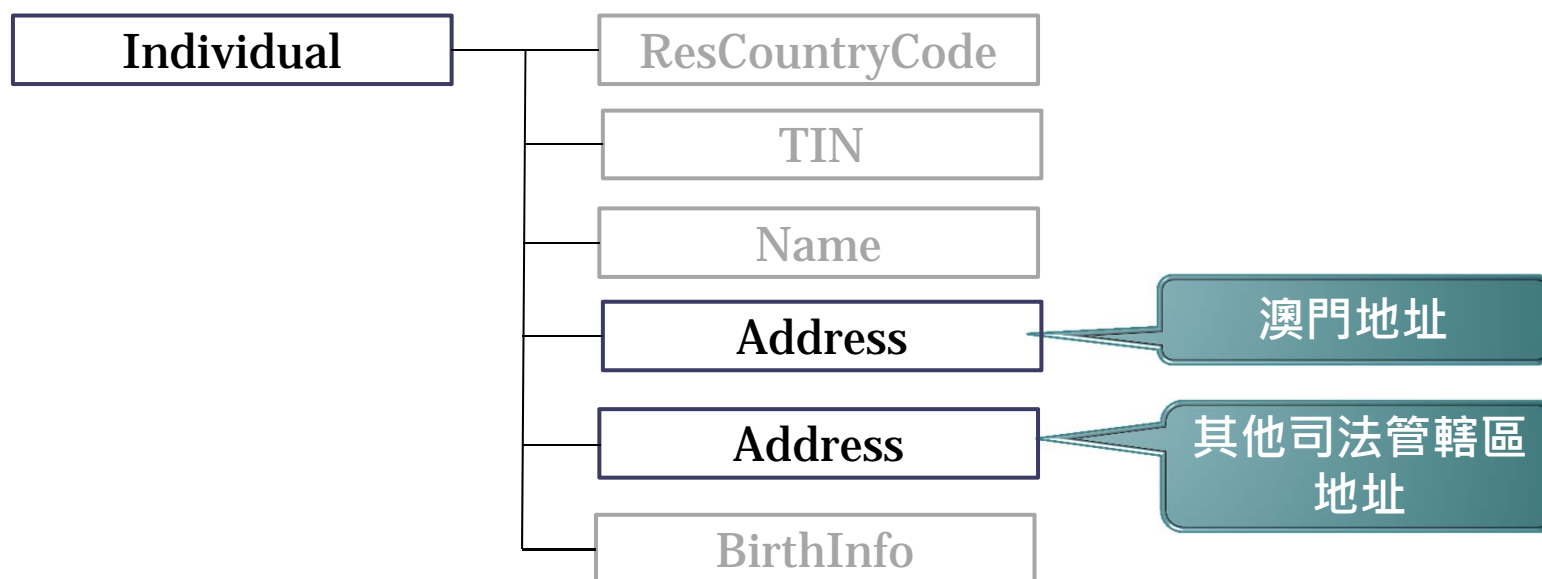
提供城市及
國家代碼



```
<BirthInfo>  
  <BirthDate>1988-10-09</BirthDate>  
  <City>Shang Hai</City>  
  <CountryInfo>  
    <CountryCode>CN</CountryCode>  
  </CountryInfo>  
</BirthInfo>
```

4. 地址

倘帳戶持有人或控制人為某一報送司法管轄區的須報送人，且金融機構已掌握該須報送人在當地的地址，則應在報送信息時同時提供該地址。



5. 語言

- 準備相關XML檔案時，應優先使用拉丁字母(參考ISO8859標準)。
- 如非使用拉丁字母，當日後交換伙伴要求修正含有中文字元的信息時，金融機構仍須對已報送的相關信息作後續跟進。

信息質量的重要性

- 為加強金融機構執行CRS盡職調查及金融帳戶信息報送的合規性，財政局已陸續展開對金融機構的監管工作；
- “報送信息質量” 為合規風險評估的重要指標之一。

重要提示

要提升報送信息質量，先要具備良好的CRS控制，包括但不僅限於：

➤ 完善控制環境

- 制定清晰及全面的執行盡職調查的內部程序/指引，並適時審查及更新其內容；
- 加強培訓，以確保執行CRS盡職調查及信息報送的主要工作人員及團隊正確理解CRS的要求；
- 管理層對執行CRS作監管；

重要提示

➤ 切實執执行程序









正確識別須報送帳戶，並實施複核程序以確保CRS信息的完整性及正確性；

➤ 報送正確信息

- 資訊系統具備正確區分信息欄位以及正確提取信息之功能；
- 按期報送須報送信息；

網頁資訊

可參閱本局網站稅務信息交換專頁
<https://www.dsf.gov.mo/AEOI/>

相關資訊	
參與司法管轄區清單 (生效日期2022.01.01)	
報送司法管轄區清單	
履行《金融帳戶信息的通用報送標準及盡職調查程序》義務須知	
報送金融帳戶信息質量的改善措施	
《自動信息交換系統》講解會投影片	
海報	
宣傳單張	
退休基金履行盡職調查及報送義務的常見問題	
關於《金融帳戶信息的通用報送標準及盡職調查程序》問題集	

查詢方式

一般查詢電郵：aeoi_info@dsf.gov.mo

系統技術查詢電郵：aeoi_it@dsf.gov.mo

多謝!



財 政 局

Direcção dos Serviços de Finanças