



# **The University of Akron**

## **Payment Procedures for Short Term International Visitors**

### **Honorariums and Travel**

Contact Jim Karas in the Office of the Associate VP/Controller at x6566 if you have any questions.

Revised: September 2017

New W-7 (09-2016)  
New Instructions for 8233 (10-2016)  
Continue to Use Form 8233 (03-2009) with new instructions

## Table of Contents

SECTION:	Page
I General Words of Caution.....	1
II Eligibility for Honorariums and Payments Based on Visa Type.....	1
III Travel Reimbursement.....	5
IV Federal Identification Numbers. ....	6
V Tax Treaty Exemption.....	7
VI “Grossing-Up” Payments to Cover U.S. Tax Withholding .....	9
VII Forms, Instructions and Certificates.....	9

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## **SECTION I: GENERAL WORDS OF CAUTION**

International visitors present us with extremely complex issues which are governed by two (2) federal government agencies, the U.S. Citizenship and Immigration Services (USCIS) and the Internal Revenue Services (IRS). If we do not comply with these rules and regulations we not only risk fines and penalties for the University but could cause serious problems for the visitors when they file their tax returns here and/or in their own country.

These visitors, also at times referred to as non-resident aliens, and if they are paid an Honorarium, they will get a 1042S by March 15th of the next year showing the amount reported to IRS and reported to their country of residence if there is a tax treaty.

Therefore, it is important to understand the overall process and specific procedures in order that we maintain compliance. Many of these procedures should be performed before the visitor leaves home to come to the United States.

This document will address the rules and regulations as they apply only to short-term visitors who are invited for lectures, colloquium, etc., which generally do not last more than nine (9) days. For such engagements, the visitors are considered independent contractors as opposed to employees. Employees are considered to be rendering dependent personal services.

**KEY:** Start early. Engage the person as soon as possible and ensure that most or all of the issues discussed herein are completed before arrival. It will save time and aggravation for all involved.

Finally, it should be understood that, in most cases the visitor cannot be paid while at the University. Visitors are, typically, paid after they leave the University. It is a rare case where everything needed to make payment is available while the person is on campus.

## **SECTION II: ELIGIBILITY FOR HONORARIUMS AND PAYMENTS BASED ON VISA TYPE**

Unlike U.S. citizens or resident aliens who have met certain long-term presence criteria, payments to short-term visitors are very restrictive unless they enter the country through a long-term visa.

**KEY:** The first and foremost thing you must know is the visa category under which the visitor is entering the U.S.

When contacting potential visitors to come to the University, you should suggest they enter under a "J" visa if at all possible. The "J" visa allows payment for both an honorarium and travel. The honorarium could be subject to Treaty Exemption (See Sec. V.) depending on the home country.

Many visitors enter with either a B-1 (or WB) Business visa or a B-2 (or WT) Tourist visa. Payments under these visas are currently very restrictive. Individuals with tourist visas B-2 (or WT) are not able to be paid anything unless they are already in the United States when invited to come to our University. Caution your visitor not to declare tourist only and get B-2 or WT visa. They should declare business visa and get a B-1 (or WB) visa. Please contact Jim Karas in the Office of the Associate Vice President/Controller at x6566 if you have any questions about these visas.

## **SECTION II: ELIGIBILITY FOR HONORARIUMS AND PAYMENTS BASED ON VISA TYPE (continued)**

As we understand the application process for visas, the “J” visa takes a longer period of time to obtain and requires a fee, while the WB or WT visas are almost always issued on-the-spot, at little or no cost. Again, invite the visitors early and advise them to process their papers early to obtain the most beneficial visa type.

### **HOW TO OBTAIN A J-1 VISA**

The University of Akron is authorized to host several categories of J-1 Exchange Visitors, including Research Scholars, Professors, and Short-term Scholars. To request the immigration document necessary for your visitor to obtain a J-1 visa, contact the International Center at x6798, ideally at least three months prior to the exchange visitor’s intended start date. Complete the DS-2019 request form available at [www.uakron.edu/international/forms](http://www.uakron.edu/international/forms). Submit the request form to the International Center with the required supporting documentation from your department and the prospective visitor. The International Center will issue a Certificate of Eligibility (DS-2019) in approximately 3 weeks, although expedited processing may be available in special circumstances. Your department must mail the DS-2019, along with an information packet provided by the International Center, to the foreign visitor. The foreign visitor will apply for a J-1 visa at a U.S. embassy or consulate in his or her country. The J-1 visitor must check in at the International Center when he or she arrives on campus so the International Center can validate the visitor’s program in the SEVIS government database and provide orientation information as required by federal regulations.

### **HOW TO OBTAIN A B-1 (Visitor for Business)**

To get a B-1 (Visitor for Business) visa, the host department provides a letter of invitation giving purpose of visit, funding arrangements and length of stay. Your visitor presents the letter and proof of funding (if additional required) to the American Embassy in their country and obtains a B-1 (or B-1/B-2) visa. Your visitor then presents their passport with valid B-1 visa and letter of invitation upon entry.

### **HOW TO OBTAIN A WB (VISA WAIVER FOR BUSINESS)**

Your visitor needs a round-trip ticket and the letter of invitation giving purpose of visit, funding arrangements, and length of stay. Visitors from eligible countries present their passport and letter upon entry to U.S.

## SECTION II: ELIGIBILITY FOR HONORARIUMS AND PAYMENTS BASED ON VISA TYPE (continued)

### **VISA WAIVER PROGRAM (VMP) COUNTRIES**

Currently, as of 9/18/2017, 38 countries participate in the Visa Waiver Program as shown below. If they are coming in under the Visa Waiver Program the waiver visa WB is equivalent to a B-1 visa.

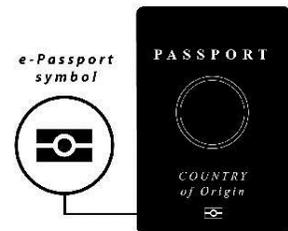
Andorra	Denmark	Iceland	Luxembourg	San Marino	Switzerland
Australia	Estonia	Ireland	Malta	Singapore	Taiwan
Austria	Finland	Italy	Monaco	Slovakia	United Kingdom
Belgium	France	Japan	the Netherlands	Slovenia	
Brunei	Germany	Latvia	New Zealand	South Korea	
Chile	Greece	Liechtenstein	Norway	Spain	
Czech Republic	Hungary	Lithuania	Portugal	Sweden	

### **Each Traveler Must Have Authorization Under ESTA**

In order to travel without a visa on the VWP, you must have authorization through the Electronic System for Travel Authorization (ESTA) prior to boarding a U.S. bound air or sea carrier. ESTA is the Department of Homeland Security (DHS). Customs and Border Protection's (CBP) automated web-based system to determine eligibility to travel without a visa to the United States for tourism or business. Visit the ESTA webpage on the CBP website for more information.

ESTA is an automated system that determines the eligibility of visitors to travel to the United States under the Visa Waiver Program (VWP) (</travel/international-visitors/visa-waiver-program>). Authorization via ESTA does not determine whether a traveler is admissible to the United States. U.S. Customs and Border Protection officers determine admissibility upon travelers' arrival. The ESTA application collects biographic information and answers to VWP eligibility questions. ESTA applications may be submitted at any time prior to travel, though it is recommended that travelers apply as soon as they begin preparing travel plans or prior to purchasing airline tickets.

**NOTICE:** As of April, 1, 2016, you must have an e-passport to use the VWP. An e-Passport (<https://www.dhs.gov/e-passports>) is an enhanced secure passport with an embedded electronic chip. You can readily identify an e-Passport, because it has a unique international symbol on the cover. Apply for an ESTA (<https://esta.cbp.dhs.gov/esta/esta.html>)



## **SECTION II: ELIGIBILITY FOR HONORARIUMS AND PAYMENTS BASED ON VISA TYPE (continued)**

### **HONORARIUMS**

Honorariums for international visitors are paid from the Honorarium and Expense Authorization form for non-University personnel International Visitors. All the appropriate people, including the international visitor, should sign the form. All honorarium contracts or letters of invitation should require the payee to supply a Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN) for payment. If they do not have a social security number or individual taxpayer identification number, 30% tax will have to be withheld from the honorarium or the honorarium will have to be grossed up if the department wants to pay the taxes. Please see section VI: Grossing-Up payments to cover U.S. tax withholding. We will also need a copy of the international visitor's passport and the visa located in their passport. We will need a copy of their I-94 card for land border ports of entry if one is obtained and is inserted into their passport. Make a copy of the visa type of entry entered into their passport. For "J" visa holders, we need a copy of their DS-2019. We also need all foreign visitors to give us their foreign home address. If they are from a tax treaty country, they will need to process a form 8233 to exempt them from tax withholding. Please be aware that upon filing the 8233 with the IRS, the University must wait 10 days before we can pay the Honorarium. Please note in order to process a form 8233, the visitor must have a social security number or individual taxpayer identification number.

"B" visa holders must sign the certificate for Academic Honorarium for Visiting "B" Nonimmigrant Aliens. It states the following:

Section 431 of the American Competitiveness and Workforce Improvement Act (as revised October 1998) specifies that any alien admitted under 101(a)(15)(B) of the Immigration and Nationality Act may accept honorarium payment and associated incidental expenses for "usual academic activity" lasting no more than nine (9) days at any single institution, if the payment is offered by the institution for services conducted for the benefit of the institution. The foreign national may accept such payment only if he or she has not accepted such payment or expenses from more than five (5) institutions during the previous six (6) months. The visitor will have to sign a certificate to this effect.

**KEY:** The visa type and number are contained on a Form I-94 land border ports of entry which is inside the visitor's passport. When the visitor departs the U.S. the Form I-94 must be surrendered. Please be sure to get a copy of the I-94 before the visitor leaves. If there is no I-94 form, please make sure that you make a copy of the passport visa stamp that has the date of entry and visa type.

### **CANADIAN VISITORS**

Canadian visitors may receive their B-1 visas at the border. The host department provides a letter of invitation giving purpose of visit, funding arrangements and length of stay. The Canadian visitor presents their letter at the border and obtains an I-94 with the B-1 visa designation on it. Canadians may also be reimbursed for travel expenses if this was included in their original funding arrangement.

The Canadian visitor will need to sign the B certificate to be paid an Honorarium or travel expense. To be paid an Honorarium they will also need an U.S. social security number (SSN) or individual taxpayer identification number (ITIN). We would like a copy of the visitor's letter of invitation to accompany their reimbursement.

### SECTION III: TRAVEL REIMBURSEMENT

Reimbursements for travel expenses are now made under the approved IRS accountable plan. This is handled very similarly to reimbursement for travel expenses for our own faculty. The expenses would be submitted on the Honorarium and Expense Authorization Form for non-University personnel. All appropriate people, including the international visitor, should sign this form. Original receipts must be attached for reimbursement. We will allow a photocopy of an airline ticket if the foreign visitor needs it to return home. We need a copy of the foreign visitors' passport and visa. We need a copy of their I-94 card, if entered by land border ports of entry, which may be in their passport.

Foreign visitors to the U.S. arriving via air or sea no longer need to complete paper Customs and Border Protection Form I-94 Arrival/Departure Record (</document/forms/form-i-94-arrivaldeparture-record>) or Form I-94W Nonimmigrant Visa Waiver Arrival/Departure Record (</document/forms/form-i-94w-visa/waiver-arrivaldeparture-record>). Those who need to prove their legal-visitor status – to employers, schools/universities or government agencies – can access their CBP arrival/departure record information online. CBP now gathers travelers' arrival/departure information automatically from their electronic travel records. Because advance information is only transmitted for air and sea travelers, CBP will still issue a paper form I-94 at land border ports of entry.

If travelers need the information from their Form I-94 admission record to verify immigration status or employment authorization, the record number and other admission information they are encouraged to get their I-94 Number (<https://i94.cbp.dhs.gov/i94/#/home>.)

Upon arrival, a CBP officer stamps the travel document of each arriving non-immigrant traveler with the admission date, the class of admission, and the date that the traveler is admitted until. If a traveler would like a paper Form I-94, one can be requested during the inspection process. All requests will be accommodated in a secondary setting.

Upon exiting the U.S., travelers previously issued a paper Form I-94 should surrender it to the commercial carrier or to CBP upon departure. Otherwise, CBP will record the departure electronically via manifest information provided by the carrier or by CBP.

Again, if there is no I-94, please make sure that you make a copy of the passport visa stamp that has the date of entry and visa type. For "J" visa holders, we need a copy of their DS-2019. If they entered on a "B" visa or waiver, they will also have to sign a certificate stating that they did not receive payment or expense reimbursement from more than five (5) institutions during the previous six (6) months. If they are receiving expense reimbursement only, with no honorarium, they may be able to receive reimbursement for more than nine (9) days if they are on B-1, WB or "J" visa.

**KEY:** Please note that if you pay a vendor directly for hotel, airfare, meals, etc., we still need documentation from the international visitor, i.e. a copy of their passport, visa, I-94 if there is one, DS-2019 for J-1 visa and possibly a signed certificate.

## SECTION IV: FEDERAL IDENTIFICATION NUMBER

An Honorarium payment made to a non-resident alien visitor must be reported to the IRS, and the only acceptable reporting is by one of two (2) federal identification numbers:

- **SOCIAL SECURITY NUMBER (SSN)** - Until 1-1-98, the SSN was the only means by which an employer could report payment to the IRS. The number was generally easy to obtain (3-4 weeks) and made the payment process fairly easy. Now, the Social Security Administration has restricted the SSN only to payment for dependent personal services (i.e.; wages for work) and for persons who will eventually be eligible for social security benefits. Of course, alien visitors are normally not eligible for Social Security benefits.
- **INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER (ITIN)** - This number system was developed by the IRS and Social Security Administration for employers to report income and taxes for those persons not eligible for social security benefits. The ITIN is more difficult to obtain (more forms and original or certified copies from issuing agency of personal documentation and takes 8-12 weeks or more). Please be aware that currently only individuals from tax treaty countries can obtain an ITIN before they file their U.S. tax return. All others will have to obtain their ITIN when they file their U.S. tax return 1040NR form or 1040NR-EZ form.

If visitors do not already have a SSN, they must obtain an ITIN. To do so, a Form W-7 must be completed personal documents must be submitted with the form. A passport is an acceptable document. If you submit an original passport or certified copy from the issuing agency, you do not need to submit any other documentation. An ITIN can also be obtained through an Acceptance Agent. See instructions for the W-7 application for other acceptable documents. Go to <https://www.irs.gov/pub/irs-pdf/fw7.pdf> for form W-7 and <https://www.irs.gov/pub/irs-pdf/iw7.pdf> for form instructions.

## SECTION V: TAX TREATY EXEMPTION

The U.S. has executed Tax Treaties with many countries that permit payments for services under certain visa types to be exempt from U.S. taxes. See list of countries in this Section. In order for a visitor to take advantage of the Treaty Exemption, the visitor may enter the U.S. on a "J" visa, and certain other visas, and a Form 8233 must be completed. Of course, the visitor must be from a Treaty country and must have a social security number or individual taxpayer identification number. If a Treaty does not exist, the payment for services will be taxed at 30%. The Form 8233 requires the visitor's signature and that the University verifies the date presented on the form and is also signed by Jim Karas as the representative of the withholding agent. Only payments for independent personal services may be exempted from taxation, i.e., an honorarium or consultation payment. The Form 8233 must be mailed by the University to the IRS and there is then a ten-day waiting period before payment can be made.

Compensation for independent services by persons from the countries listed below is exempt from U.S. income tax by virtue of a tax treaty. Income code 17.

List of Countries	Exempt Wage Limit	Maximum presence in U.S.	Treaty Article
Armenia <sup>1</sup>		183 days	VI(2)
Australia		183 days	14
Austria		no limit	14
Azerbaijan <sup>1</sup>		183 days	VI(2)
Bangladesh		183 days	15
Barbados	(\$5,000 limit)	89 days	14
Belarus <sup>1</sup>		183 days	VI(2)
Belgium <sup>2</sup>			7
Bulgaria <sup>2</sup>			7
Canada <sup>2</sup>			VII
China, Peoples Republic Of		183 days	13
Cyprus		182 days	17
Czech Republic		183 days	14
Denmark		no limit	14
Egypt		89 days	15
Estonia		183 days	14
Finland		no limit	14
France		no limit	14
Georgia <sup>1</sup>		183 days	VI(2)
Germany <sup>2</sup>			7
Greece	(\$10,000 limit)	183 days	X
Hungary		183 days	13
Iceland <sup>2</sup>			7
India		89 days	15
Indonesia		119 days	15
Ireland		no limit	14
Israel		182 days	16

Continued on next page

**SECTION V: TAX TREATY EXEMPTION (continued)**

<b>List of Countries (continued)</b>	<b>Exempt Wage Limit</b>	<b>Maximum presence in U.S.</b>	<b>Treaty Article</b>
Italy		No limit	14(1)
Jamaica	(\$5,000 limit per annum)	89 days	14
Japan <sup>2</sup>			7
Kazakhstan		183 days	14
Korea, Rep. Of (South)	(\$3,000 limit per annum)	182 days	18
Kyrgyzstan <sup>1</sup>		183 days	VI(2)
Latvia		183 days	14
Lithuania		183 days	14
Luxembourg		no limit	15
Malta <sup>2</sup>			7
Mexico		182 days	14
Moldova <sup>1</sup>		183 days	VI(2)
Morocco	(\$5,000 limit)	182 days	14
Netherlands		no limit	15
New Zealand <sup>2</sup>			7
Norway		182 days	13
Pakistan		183 days	XI
Philippines	(\$10,000 limit per annum)	89 days	15
Poland		182 days	15
Portugal		182 days	15
Romania		182 days	14
Russia		183 days	13
Slovak Republic		183 days	14
Slovenia		no limit	14
South Africa		183 days	14
Spain		no limit	15
Sri Lanka		183 days	15
Sweden		no limit	14
Switzerland		no limit	14
Tajikistan <sup>1</sup>		183 days	VI(2)
Thailand	(\$10,000 limit)	89 days	15
Trinidad & Tobago	(\$3,000 limit)	183 days	17
Tunisia	(\$7,500 limit per annum)	183 days	14
Turkey		183 days	14
Turkmenistan <sup>1</sup>		183 days	VI(2)
Ukraine		no limit	14
United Kingdom <sup>2</sup>			7
Uzbekistan <sup>1</sup>		183 days	VI(2)
Venezuela		no limit	14

<sup>1</sup> Countries governed by the Commonwealth of Independent States Treaty

<sup>2</sup> Article 7 or VII is treated as business profits under Article (7)VII of the treaty.

## **SECTION V: TAX TREATY EXEMPTION (continued)**

IRS Publication 901, which is usually updated annually, is available by calling IRS toll free forms line 1-800-829-3676 or on their web site (<http://www.irs.gov>). The tax treaty tables previously contained in this publication have been updated and moved to IRS.gov. You can locate the tables on IRS.gov by entering "Tax Treaty Table" in the search box. Click on "Tax Treaty Tables." You can also access the tables by going to [www.irs.gov/Individuals/International-Taxpayers/Tax-Treaty-Tables](http://www.irs.gov/Individuals/International-Taxpayers/Tax-Treaty-Tables).

## **SECTION VI: GROSSING-UP PAYMENTS TO COVER U.S. TAX WITHHOLDING**

As described in the previous Section, 30% U.S. income tax will be withheld on honorarium payments when no U.S. Tax Treaty exists for the visitor's home country.

When an honorarium is negotiated between the University host department and the visitor, the department often feels that the visitor should receive the "full amount quoted" even though tax withholding is required.

This may be accomplished by a method known as "grossing-up" the payment to cover the tax. As an example, say you wish to pay \$1,000 but 30% tax must be withheld. At first calculation, the visitor takes home only \$700. If that is acceptable, then no further decisions are required.

However, many hosts do not want the visitor to leave with less than the amount originally quoted. In this instance, you may wish to "pay the visitor's tax" by grossing-up. The following calculation takes place:

Original Quoted Amount	\$1,000
Gross-up by Dividing by	<u>70%</u>
Gross to be Paid	\$1,428
Apply 30% Tax	- <u>428</u>
Visitor's Take Home	<u>\$1,000</u>

By this process, your account will be charged for the \$1,428 and the visitor receives what was originally negotiated.

## **SECTION VII: Forms, Instructions and Certificate Follow**



# Instructions for Form 8233

(Rev. October 2016)

(Use with the March 2009 revision of Form 8233.)

## Exemption From Withholding on Compensation for Independent (and Certain Dependent) Personal Services of a Nonresident Alien Individual

Section references are to the Internal Revenue Code unless otherwise noted.

### General Instructions

#### Future Developments

For the latest information about developments related to Form 8233 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/form8233](http://www.irs.gov/form8233).



*If you are a "resident of a treaty country," you must know the terms of the tax treaty between the United States and the treaty country to properly complete Form 8233.*

#### What's New

**New fax number.** There is a new fax number withholding agents must use to submit Form 8233 by fax. See *Withholding Agent's Responsibilities*, later.

**Individual taxpayer identification number (ITIN).** You may need to renew your ITIN. See *Expired ITIN*, later.

#### Purpose of Form

In general, section 1441 requires 30% income tax withholding on compensation for independent personal services (defined later). Sections 1441, 3401, and 3402 require withholding, sometimes at 30% and sometimes at graduated rates, on compensation for dependent personal services (defined later). However, some payments may be exempt from withholding because of a tax treaty or because the payments are not more than your personal exemption amount (defined later). Complete and give Form 8233 to your withholding agent if some or all of your compensation is exempt from withholding.

You can use Form 8233 to claim a tax treaty withholding exemption for noncompensatory scholarship or fellowship income only if you also are claiming a tax treaty withholding exemption for compensation for personal services (including

compensatory scholarship or fellowship income) received from the same withholding agent.



*Do not use Form 8233 if you have an office in the United States regularly available to you for performing personal services.*

**Additional information.** You can download the complete text of most U.S. tax treaties at [IRS.gov](http://IRS.gov). Enter "Tax treaties" in the search box. Click "United States Income Tax Treaties--A to Z." Technical explanations for many of those treaties are also available on that site.

General information about tax treaties is available at [www.irs.gov/individuals/international-taxpayers/tax-treaties](http://www.irs.gov/individuals/international-taxpayers/tax-treaties). Also, see Pub. 901 for a quick reference guide to the provisions of U.S. tax treaties.

You can get any of the forms or publications referred to in these instructions by downloading them from [www.irs.gov/formspubs](http://www.irs.gov/formspubs) or ordering them from [www.irs.gov/orderforms](http://www.irs.gov/orderforms).

#### Giving Form 8233 to the Withholding Agent

You must complete Form 8233:

- For each tax year (be sure to specify the tax year in the space provided above Part I of the form),
- For each withholding agent, and
- For each type of income. However, you can use one Form 8233 to claim a tax treaty withholding exemption for both compensation for personal services (including compensatory scholarship or fellowship income) and noncompensatory scholarship or fellowship income received from the same withholding agent.

Give the form to the withholding agent. The withholding agent's responsibilities are discussed in the Part IV instructions.

**Example.** A nonresident alien is primarily present in the United States as a professor, but also is occasionally invited to lecture at other educational institutions. These lectures are not connected with his teaching obligations

but are in the nature of self-employment. For each tax year, the professor must complete and give a separate Form 8233 to the withholding agent at each institution in order to claim tax treaty benefits on the separate items of income, if the treaty so permits.

### Definitions

#### Nonresident Alien

If you are an alien individual (that is, an individual who is not a U.S. citizen), specific rules apply to determine if you are a resident alien or a nonresident alien for tax purposes. Generally, you are a resident alien if you meet either the "green card test" or the "substantial presence test" for the calendar year. Any person not meeting either test is generally a nonresident alien. Additionally, an alien individual who qualifies as a "resident of a treaty country" (defined later) or a bona fide resident of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or American Samoa is a nonresident alien individual.

For more information on the tests used to determine resident alien or nonresident alien status, see Pub. 519.



*Even though a nonresident alien individual married to a U.S. citizen or resident alien can choose to be treated as a resident alien for certain purposes (for example, filing a joint income tax return), such individual is still treated as a nonresident alien for withholding tax purposes.*

#### U.S. Person

For purposes of this form, a U.S. person is a U.S. citizen or resident alien.

#### Tax Treaty Withholding Exemption

This term refers to an exemption from withholding permitted by IRS regulations under section 1441 that is based on a tax treaty benefit. See *Resident of a Treaty Country* next for requirements for claiming a tax treaty benefit on this form.

See the instructions for line 4 for additional information for determining residence for purposes of claiming a tax treaty withholding exemption on this form.

### Resident of a Treaty Country

An alien individual can claim to be a resident of a treaty country if he or she qualifies as a resident of that country under the terms of the residency article of the tax treaty between the United States and that country. See *Nonresident Alien*, earlier.

A nonresident alien can claim a tax treaty benefit on this form only if that individual is the beneficial owner of the income and meets the residency requirement and all other requirements for benefits under the terms of the tax treaty.

### Compensation for Independent Personal Services

Independent personal services are services performed as an independent contractor in the United States by a nonresident alien who is self-employed rather than an employee. Compensation for such services includes payments for contract labor; payments for professional services, such as fees to an attorney, physician, or accountant, if the payments are made directly to the person performing the services; consulting fees; honoraria paid to visiting professors, teachers, researchers, scientists, and prominent speakers; and generally, payments for performances by public entertainers.

**Business profits.** Certain treaties do not have an independent personal services article. Payments for independent personal services may be covered under the business profits article of an applicable income tax treaty. If you are eligible to claim exemption from withholding on this type of income, complete and give Form 8233 to the withholding agent.

 *Under certain treaties, independent services may be attributable to a deemed permanent establishment, and thus taxable. For example, see Article 5(9) of the U.S.-Canada income tax treaty.*

**Public entertainers.** Special restrictions on exemption from or reduction of withholding apply to nonresident alien public entertainers (such as actors, musicians, artists, and athletes). Generally, Form 8233 cannot be accepted because the exemption may be based on factors that cannot be

determined until after the end of the year. These individuals are subject to 30% withholding from gross income paid for personal services performed unless a reduced rate of withholding is applied for using Form 13930. In addition, many tax treaties contain separate articles that apply to public entertainers. If present, these articles take precedence over the “independent personal services” and “dependent personal services” articles of the treaties.

### Required Withholding Form

For compensation you receive for independent personal services, complete Form 8233 to claim a tax treaty withholding exemption for part or all of that income and/or to claim the daily personal exemption amount.

### Compensation for Dependent Personal Services

Dependent personal services are services performed as an employee in the United States by a nonresident alien. Dependent personal services include compensatory scholarship or fellowship income (defined later). Compensation for such services includes wages, salaries, fees, bonuses, commissions, and similar designations for amounts paid to an employee.

### Required Withholding Form(s)

Complete Form 8233 for compensation you receive for dependent personal services only if you are claiming a tax treaty withholding exemption for part or all of that income. Do not use Form 8233 to claim the daily personal exemption amount. For compensation for which you are not claiming a tax treaty withholding exemption, use Form W-4.

**Completing Form W-4.** You should complete Form W-4 as follows:

**Line 2.** You are required to enter a social security number (SSN) on line 2 of Form W-4. If you do not have an SSN but are eligible to get one, you should apply for it. Get Form SS-5, Application for a Social Security Card, online at [www.socialsecurity.gov](http://www.socialsecurity.gov), from your local Social Security Administration (SSA) office, or by calling the SSA at 1-800-772-1213.



*You cannot enter an individual taxpayer identification number (ITIN) on line 2 of Form W-4.*

**Line 3.** Check the single box regardless of your actual marital status.

**Line 5.** In most cases, you should claim one withholding allowance. However, if you are a resident of Canada, Mexico, or South Korea; a student from India; or a U.S. national; you may be able to claim additional withholding allowances for your spouse and children. See Pub. 519 for more information.

If you are completing Form W-4 for more than one withholding agent (for example, you have more than one employer), figure the total number of allowances you are entitled to claim (see the previous paragraph) and claim no more than that amount on all Forms W-4 combined. Your withholding usually will be most accurate when all allowances are claimed on the Form W-4 for the highest-paying job and zero allowances are claimed on the others.

**Line 6.** Write “nonresident alien” or “NRA” above the dotted line on line 6. If you would like to have an additional amount withheld, enter the amount on line 6.

**Line 7.** Do not claim that you are exempt from withholding on line 7 of Form W-4 (even if you meet both of the conditions listed on that line).

### Compensatory Scholarship or Fellowship Income

In general, scholarship or fellowship income is compensatory to the extent it represents payment for past, present, or future services (for example, teaching or research) performed by a nonresident alien as an employee and the performance of those services is a condition for receiving the scholarship or fellowship (or tuition reduction).

**Example.** XYZ University awards a scholarship to N, a nonresident alien student. The only condition of the scholarship is that N attends classes and maintains a minimum level of academic performance. The scholarship income is not compensatory because N is not required to perform services as an employee as a condition for receiving the scholarship.

### Required Withholding Form(s)

Compensatory scholarship or fellowship income is considered to be dependent personal services income. Therefore, complete Form 8233 for this income only if you are claiming a tax treaty withholding exemption for part or all of that income. Do not complete Form

8233 to claim the daily personal exemption amount.

For any part of this compensatory income for which you are not claiming a tax treaty withholding exemption, use Form W-4. See *Completing Form W-4*, earlier.

## Noncompensatory Scholarship or Fellowship Income

Noncompensatory scholarship or fellowship income is scholarship or fellowship income that is not compensatory scholarship or fellowship income (defined earlier).

In most cases, the taxable portion of noncompensatory scholarship or fellowship income (defined later) paid to a nonresident alien is subject to withholding at:

- 30%, or
- 14% if the nonresident alien is temporarily present in the United States under an "F", "J", "M", or "Q" visa.

### Taxable portion of noncompensatory scholarship or fellowship income.

If you were a degree candidate, the amount of this type of income that you used for expenses other than tuition and course-related expenses (fees, books, supplies, and equipment) is taxable in most cases. For example, in most cases amounts used for room, board, and travel are taxable. If you were not a degree candidate, the full amount of the scholarship or fellowship income is taxable in most cases.

### Required Withholding Form

In most cases, you should complete Form W-8BEN to claim a tax treaty withholding exemption for this type of income. No Form W-8BEN is required unless a treaty benefit is being claimed.

**Exception.** If you are receiving both compensation for personal services (including compensatory scholarship or fellowship income) and noncompensatory scholarship or fellowship income from the same withholding agent, you can use one Form 8233 for both types of income. However, this exception applies only if you are claiming a tax treaty withholding exemption for both types of income.

**Alternate withholding election.** A withholding agent can elect to withhold on the taxable portion of noncompensatory scholarship or fellowship income of a nonresident alien temporarily present in the United States under an "F", "J", "M", or "Q" visa as if it were compensatory scholarship or

fellowship income (provided the nonresident alien is not claiming treaty benefits with respect to that income). The withholding agent makes this election by requesting that the nonresident alien complete Form W-4 using the instructions in Rev. Proc. 88-24, 1988-1 C.B. 800. Indian students also should see Rev. Proc. 93-20, 1993-1 C.B. 528.

### Withholding Agent

Any person, U.S. or foreign, that has control, receipt, or custody of an amount subject to withholding or that can disburse or make payments of an amount subject to withholding is a withholding agent. The withholding agent can be an individual, corporation, partnership, trust, association, or any other entity, including (but not limited to) any foreign intermediary, foreign partnership, and U.S. branch of certain foreign banks and insurance companies. In most cases, the person who pays (or causes to be paid) the amount subject to withholding to the nonresident alien individual (or to his or her agent) must withhold.

### Beneficial Owner

For payments other than those for which a reduced rate of withholding is claimed under an income tax treaty, the beneficial owner of income is in most cases the person who is required under U.S. tax principles to include the income in gross income on a tax return. A person is not a beneficial owner of income, however, to the extent that person is receiving the income as a nominee, agent, or custodian, or to the extent the person is a conduit whose participation in a transaction is disregarded. In the case of amounts paid that do not constitute income, beneficial ownership is determined as if the payment were income.

### Avoid Common Errors

To ensure that your Form 8233 is promptly accepted, be sure that you:

- Answer all applicable questions completely,
- Specify the tax year for which this form will be effective in the space provided above Part I of the form,
- Enter your complete name, addresses, and identifying number(s) in Part I,
- Have attached the required statement described in the line 10 instructions if you are a foreign student, trainee, professor/teacher, or researcher,
- Are not trying to claim tax treaty benefits for a country with which the

United States does not have a ratified tax treaty,

- Are not trying to claim tax treaty benefits that do not exist in your treaty,
- Complete lines 11 through 14 in sufficient detail to allow the IRS to determine the tax treaty benefit you are claiming,
- Claim the proper number of personal exemptions on line 15, and
- Complete the required certification in Part III.

## Specific Instructions

### Part I

#### Line 2

You are required to furnish a U.S. taxpayer identifying number on this form. In most cases, you are required to enter your SSN on line 2. See *Line 2* in *Completing Form W-4* for instructions on how to get an SSN.

If you do not have an SSN and are not eligible to get one, you must get an ITIN. To apply for an ITIN, file Form W-7 with the IRS. In most cases, you apply for an ITIN when you file your tax return for which the ITIN is needed. However, if the reason for your ITIN request is because you need to provide Form 8233 to the withholding agent, you must file Form W-7 and provide proof that you are not eligible for an SSN (your Form SS-5 was rejected by the SSA) and include a Form 8233. It usually takes about 6 to 10 weeks to get an ITIN.

For details on how to apply for an ITIN, see Form W-7 and its instructions. Get Form W-7 online at [www.irs.gov/formspubs](http://www.irs.gov/formspubs). For more information on obtaining an ITIN, go to [www.irs.gov/individuals/individual-taxpayer-identification-number-itin](http://www.irs.gov/individuals/individual-taxpayer-identification-number-itin).

If you have applied for an SSN or ITIN but have not yet received it, you can attach a copy of a completed Form W-7 or SS-5 showing that a number has been applied for.



*An ITIN is for tax use only. It does not entitle you to social security benefits or change your employment or immigration status under U.S. law.*

**Expired ITIN.** Generally, ITINs issued after December 31, 2012, will remain in effect as long as the individual to whom the ITIN was issued files a tax return (or is included as a dependent on the tax return of another taxpayer) for three consecutive tax years. Otherwise, the ITIN will expire at the end of the third

consecutive tax year. All expired ITINs must be renewed before being used on a U.S. tax return.

ITINs issued before January 1, 2013 will begin to expire if the individual to whom the ITIN was issued does not file a tax return (or is not included as a dependent on the tax return of another taxpayer) for three consecutive tax years. Regardless, all ITINs issued before 2008 will expire on January 1, 2017, starting with ITIN numbers that have middle digits of 78 and 79 (for example, 9XX-78-XXXX). ITINs issued in 2008 will expire on January 1, 2018, ITINs issued in 2009 and 2010 will expire on January 1, 2019, and ITINs issued in 2011 and 2012 will expire on January 1, 2020.

For more information, go to [www.irs.gov/individuals/itin-expiration-faqs](http://www.irs.gov/individuals/itin-expiration-faqs).

### Line 3

If your country of residence for tax purposes has issued you a tax identifying number, enter it here. For example, if you are a resident of Canada, enter your Social Insurance Number.

### Line 4

Your permanent residence address is the address in the country where you claim to be a resident for purposes of that country's income tax. If you are completing Form 8233 to claim a tax treaty withholding exemption, you must determine your residency in the manner required by the treaty. Do not show the address of a financial institution, a post office box, or an address used solely for mailing purposes. If you are an individual who does not have a tax residence in any country, your permanent residence is where you normally reside.

Most tax treaties that provide for a tax treaty withholding exemption require that the recipient be a resident of the treaty country at the time of, or immediately prior to, entry into the United States. Thus, in most cases, a student or researcher can claim the withholding exemption even if he or she no longer has a permanent address in the treaty country after entry into the United States. If this is the case, you can provide a U.S. address on line 4 and still be eligible for the withholding exemption if all other conditions required by the tax treaty are met. You also must identify on line 12a and/or line 13b the tax treaty country of which you were a resident at the time of, or

immediately prior to, your entry into the United States.

### Line 6

Enter your U.S. visa type. For example, foreign students are usually granted an "F-1" visa. Foreign professors, teachers, or researchers are usually granted a "J-1" visa. Business/vocational trainees are usually granted an "M-1" visa; however, some persons granted a "J-1" visa also may be considered business/vocational trainees (for example, a person admitted to complete a postgraduate residency in medicine).

If you do not have, or do not require, a visa, write "None."



*Spouses and dependents admitted on secondary visas (for example, "F-2," "J-2," "H-4," and "O-3" visas) usually are not eligible to claim the same treaty benefits as the primary visa holder.*

### Line 8

In most cases, you are required to enter your date of entry into the United States that pertains to your current nonimmigrant status. For example, enter the date of arrival shown on your current Immigration Form I-94, Arrival-Departure Record.

**Exception.** If you are claiming a tax treaty benefit that is determined by reference to more than one date of arrival, enter the earlier date of arrival. For example, you are currently claiming treaty benefits (as a teacher or a researcher) under article 15 of the tax treaty between the United States and Norway. You previously claimed treaty benefits (as a student) under article 16(1) of that treaty. Under article 16(4) of that treaty, the combination of exemptions under articles 15 and 16(1) cannot extend beyond 5 tax years from the date you entered the United States. If article 16(4) of that treaty applies, enter on line 8 the date you entered the United States as a student.

### Line 9a

Enter your current nonimmigrant status. For example, enter your current nonimmigrant status shown on your current Immigration Form I-94.

### Line 9b

Enter the date your current nonimmigrant status expires. For example, you can enter the date of expiration shown on your current Immigration Form I-94. Enter "DS" on line 9b if the date of expiration is based on "duration of status."

### Line 10

Nonresident alien students, trainees, professors/teachers, and researchers using Form 8233 to claim a tax treaty withholding exemption for compensation for personal services must attach to Form 8233 a statement. The format and contents of the required statements are shown in Appendix A and Appendix B in Pub. 519.

## Part II

### Line 11a

For compensation for independent personal services, examples of acceptable descriptions to enter on this line include: "Consulting contract to design software" or "give three lectures at XYZ University."

For compensation for dependent personal services, examples of acceptable descriptions to enter on this line include:

- A nonresident alien student can enter "part-time library assistant," "part-time restaurant worker," or "teaching one chemistry course per semester to undergraduate students."
- A nonresident alien professor or teacher can enter "teaching at ABC University."
- A nonresident alien researcher can enter "research at ABC University's school for liquid crystal research."
- A nonresident alien business/vocational trainee can enter "neurosurgical residency at ABC Hospital" or "one-year internship in hydraulic engineering at XYZ Corporation."

### Line 11b

Enter the total amount of compensation for personal services you will receive from this withholding agent during the tax year. Enter an estimated amount if you do not know the exact amount.

### Line 12a

Enter the specific treaty and article on which you are basing your claim for exemption from withholding (for example, "U.S.-Germany tax treaty, Article 20(4)" or "U.S.-Belgium tax treaty, Article 7 (business profits)").

If you are a resident of a country that has a provision in its permanent establishment article, such as the provision in Article 5(9) of the U.S.-Canada treaty, and you perform personal services in the U.S., enter the treaty and article if you claim that you are not covered by that provision.

## Line 12b

If all income received for the services performed to which this Form 8233 applies is exempt, write "All." If only part is exempt, enter the exact dollar amount that is exempt from withholding.

## Line 12c

Generally, you can claim a withholding exemption based on a U.S. tax treaty with the country in which you claim permanent (or indefinite) residence. This is the foreign country in which you live most of the time. It is not necessarily the country of your citizenship. For example, you are a citizen of Pakistan but maintain your home in England. You cannot claim a withholding exemption based on the U.S.-Pakistan tax treaty. Any withholding exemption you claim must be based on the U.S.-United Kingdom tax treaty.

## Line 13b

Enter the specific treaty and article on which you are basing your claim for exemption from withholding (for example, "U.S.-Germany tax treaty, Article 20(3)").

## Line 14

Provide sufficient facts to justify the exemption from withholding claimed on line 12 and/or line 13. Be sure you provide enough details to allow the IRS to determine the tax treaty benefit you are claiming.

## Lines 15 through 18 (for certain independent personal services)

Do not complete lines 15 through 18 if you are claiming an exemption from withholding based on the "business profit" article of a treaty or claiming on line 12b that all of the compensation you are receiving for independent personal services is exempt from withholding.

## Line 15

For compensation for independent personal services for which an exemption from withholding is not available, 30% must be withheld from that compensation after subtracting the value of one personal exemption. In most cases, you will enter "1" on line 15; however, if the exception described next applies to you, enter the total number of personal exemptions you are entitled to on line 15.

**Exception.** If you are a resident of Canada, Mexico, or South Korea; a student from India; or a U.S. national; you may be able to claim additional personal exemptions for your spouse

and children. See Pub. 519 for more information.

## Lines 16 and 17

Each allowable personal exemption must be prorated for the number of days during the tax year you will perform the personal services in the United States. Enter the number of days on line 16 that pertain to the independent personal services described in line 11a. To figure the daily personal exemption amount to enter on line 17, divide the personal exemption amount for the tax year (\$4,050 for 2016) by 366 (normally 365, but 2016 is a leap year) and multiply the result by the amount you entered on line 15. For example, if you are entitled to one personal exemption for 2016, enter \$11.07 ( $\$4,050 / 366 \text{ days} = \$11.07$ ) X 1 personal exemption = \$11.07 on line 17.

## Part IV

### Withholding Agent's Responsibilities

When the nonresident alien individual gives you Form 8233, review it to see if you are satisfied that the exemption from withholding is warranted. If you are satisfied, based on the facts presented, complete and sign the certification in Part IV.

You will need three copies of the completed Form 8233. Each copy of Form 8233 must include any attachments submitted by the nonresident alien individual. Give one copy of the completed Form 8233 to the nonresident alien individual. Keep a copy for your records. Within 5 days of your acceptance, forward one copy to:



Department of the Treasury  
Internal Revenue Service  
Philadelphia, PA 19255-0725



You also can fax Form 8233 to 267-466-1365. You are limited to 25 pages at one time.

The exemption from withholding is effective for payments made retroactive to the date of the first payment covered by Form 8233, even though you must wait at least 10 days after you have properly mailed Form 8233 to the IRS to see whether the IRS has any objections to the Form 8233.

You must not accept Form 8233, and you must withhold, if either of the following applies:

- You know, or have reason to know, that any of the facts or statements on Form 8233 may be false, or
- You know, or have reason to know, that the nonresident alien's eligibility for the exemption from withholding cannot be readily determined (for example, you know the nonresident alien has a fixed base or permanent establishment in the United States).

If you accept Form 8233 and later find that either of the situations described above applies, you must promptly notify the IRS (by writing to the address provided earlier) and you must begin withholding on any amounts not yet paid. Also, if you are notified by the IRS that the nonresident alien's eligibility for the exemption from withholding is in doubt or that the nonresident alien is not eligible for exemption from withholding, you must begin withholding immediately. See Regulations section 1.1441-4(b)(2)(iii) for examples illustrating these rules.

If you submit an incorrect Form 8233, you will be notified by the IRS that the form submitted is not acceptable and that you must begin withholding immediately. Examples of incorrect Forms 8233 include:

- Any Form 8233 that claims a tax treaty benefit that does not exist or is obviously false.
- Any Form 8233 that has not been completed in sufficient detail to allow determination of the correctness of the tax treaty benefit or exemption claimed.

## Signature

You or your authorized agent must sign and date Form 8233. See Regulations section 1.1441-7(c) for information about authorized agents.

**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are not required to request a tax treaty withholding exemption. However, if you want to receive exemption from withholding on compensation for independent (and certain dependent) personal services, you are required to give us this information so that we can verify eligibility under the relevant tax treaty and confirm proper tax treatment. Our legal right to ask for this information is Internal Revenue Code sections 1441, 3401, and 3402. We need this information to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax. Code section 6109 requires

taxpayers and withholding agents to provide their identification number. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. If a nonresident alien fails to provide a properly completed form, the withholding agent cannot accept it and is required to withhold. If a withholding agent accepts a Form 8233 as completed and later finds that any of the facts or statements made on the form

are false, or that a nonresident alien's eligibility for the exemption is in doubt, the withholding agent is required to notify the IRS and begin withholding; failure to do so may result in penalties.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated

average time is: **Recordkeeping**, 1 hr. 5 min.; **Learning about the law or the form**, 31 min.; **Preparing and sending the form to IRS**, 57 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can send us comments from [www.irs.gov/formspubs](http://www.irs.gov/formspubs). Click on "More Information" and then on "Give us feedback." You can write to the Internal Revenue Service, Tax Forms and Publications, SE:W:CAR:MP:TFP, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send the tax form to this address. Instead, give it to your withholding agent.

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## Exemption From Withholding on Compensation for Independent (and Certain Dependent) Personal Services of a Nonresident Alien Individual

▶ See separate instructions.

<p><b>Who Should Use This Form?</b></p> <p><b>Note:</b> For definitions of terms used in this section and detailed instructions on required withholding forms for each type of income, see <b>Definitions</b> on pages 1 and 2 of the instructions.</p>	<p><b>IF</b> you are a nonresident alien individual who is receiving . . .</p>	<p><b>THEN</b>, if you are the beneficial owner of that income, use this form to claim . . .</p>
	Compensation for independent personal services performed in the United States	A tax treaty withholding exemption (Independent personal services, Business profits) for part or all of that compensation and/or to claim the daily personal exemption amount.
	Compensation for dependent personal services performed in the United States	A tax treaty withholding exemption for part or all of that compensation. <b>Note: Do not use Form 8233 to claim the daily personal exemption amount.</b>
	Noncompensatory scholarship or fellowship income <b>and</b> personal services income <b>from the same withholding agent</b>	A tax treaty withholding exemption for part or all of <b>both</b> types of income.
<p><b>DO NOT Use This Form. . .</b></p>	<p><b>IF</b> you are a beneficial owner who is . . .</p>	<p><b>INSTEAD</b>, use . . .</p>
	Receiving compensation for dependent personal services performed in the United States <b>and</b> you are <b>not</b> claiming a tax treaty withholding exemption for that compensation	Form W-4 (See page 2 of the Instructions for Form 8233 for how to complete Form W-4.)
	Receiving noncompensatory scholarship or fellowship income <b>and</b> you are <b>not</b> receiving any personal services income <b>from the same withholding agent</b>	Form W-8BEN or, if elected by the withholding agent, Form W-4 for the noncompensatory scholarship or fellowship income
	Claiming only foreign status or treaty benefits with respect to income that is <b>not</b> compensation for personal services	Form W-8BEN

This exemption is applicable for compensation for calendar year \_\_\_\_\_, or other tax year beginning \_\_\_\_\_ and ending \_\_\_\_\_.

**Part I Identification of Beneficial Owner** (See instructions.)

**1** Name of individual who is the beneficial owner      **2** U.S. taxpayer identifying number      **3** Foreign tax identifying number, if any (optional)

**4** Permanent residence address (street, apt. or suite no., or rural route). **Do not use a P.O. box.**

City or town, state or province. Include postal code where appropriate.      Country (do not abbreviate)

**5** Address in the United States (street, apt. or suite no., or rural route). **Do not use a P.O. box.**

City or town, state, and ZIP code

**Note:** Citizens of Canada or Mexico are not required to complete lines 7a and 7b.

**6** U.S. visa type      **7a** Country issuing passport      **7b** Passport number

**8** Date of entry into the United States      **9a** Current nonimmigrant status      **9b** Date your current nonimmigrant status expires

**10** If you are a foreign student, trainee, professor/teacher, or researcher, check this box . . . . . ▶

**Caution:** See the **line 10 instructions** for the required additional statement you must attach.

**Part II Claim for Tax Treaty Withholding Exemption and/or Personal Exemption Amount**

**11** Compensation for independent (and certain dependent) personal services:  
a Description of personal services you are providing .....

**b** Total compensation you expect to be paid for these services in this calendar or tax year \$ .....

**12** If compensation is exempt from withholding based on a tax treaty benefit, provide:  
a Tax treaty **and treaty article** on which you are basing exemption from withholding .....

**b** Total compensation listed on line 11b above that is exempt from tax under this treaty \$ .....

**c** Country of permanent residence

**Note:** Do not complete lines 13a through 13c unless you also received compensation for personal services **from the same withholding agent.**

**13** Noncompensatory scholarship or fellowship income:  
a Amount \$ .....  
b Tax treaty **and treaty article** on which you are basing exemption from withholding .....

c Total income listed on line 13a above that is exempt from tax under this treaty \$ .....

**14** Sufficient facts to justify the exemption from withholding claimed on line 12 and/or line 13 (see instructions).....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

**Note:** Lines 15 through 18 are to be completed only for certain independent personal services (see instructions).

**15** Number of personal exemptions claimed ▶ **16** How many days will you perform services in the United States during this tax year? ▶

**17** Daily personal exemption amount claimed (see instructions) ▶

**18** Total personal exemption amount claimed. Multiply line 16 by line 17 ▶

**Part III Certification**

Under penalties of perjury, I declare that I have examined the information on this form and to the best of my knowledge and belief it is true, correct, and complete. I further certify under penalties of perjury that:

- I am the beneficial owner (or am authorized to sign for the beneficial owner) of all the income to which this form relates.
- The beneficial owner is not a U.S. person.
- The beneficial owner is a resident of the treaty country listed on line 12a and/or 13b above within the meaning of the income tax treaty between the United States and that country.

Furthermore, I authorize this form to be provided to any withholding agent that has control, receipt, or custody of the income of which I am the beneficial owner or any withholding agent that can disburse or make payments of the income of which I am the beneficial owner.

**Sign Here** ▶  Signature of beneficial owner (or individual authorized to sign for beneficial owner) Date

**Part IV Withholding Agent Acceptance and Certification**

Name Employer identification number

Address (number and street) (Include apt. or suite no. or P.O. box, if applicable.)

City, state, and ZIP code Telephone number

Under penalties of perjury, I certify that I have examined this form and any accompanying statements, that I am satisfied that an exemption from withholding is warranted, and that I do not know or have reason to know that the nonresident alien individual is not entitled to the exemption or that the nonresident alien's eligibility for the exemption cannot be readily determined.

Signature of withholding agent ▶ Jim Karas Tax Manager Date ▶

**THE UNIVERSITY OF AKRON**  
**HONORARIUM AND EXPENSE AUTHORIZATION**  
 (NON-UNIVERSITY PERSONNEL)  
 International Visitors

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ DATES From: \_\_\_\_\_ To: \_\_\_\_\_

**TYPE OF SERVICE RENDERED**

LIST EXPENSES BY DAYS IN SEPARATE COLUMNS - IF MORE THAN FIVE DAYS USE ADDITIONAL SHEETS WITH ONE TOTAL

DATES							TOTAL
<b>COMMERCIAL TRANSPORTATION</b> - ie. Plane, Taxi, Shuttle, etc. (Attach original itemized receipts)							
Plane	to						
	to						
Other	to						
	to						
<b>LOCAL TRANSPORTATION</b> (Mileage) at current IRS rate. (Please use the check box to indicate roundtrip mileage)							
From	to	miles	<input type="checkbox"/>				
From	to	miles	<input type="checkbox"/>				
From	to	miles	<input type="checkbox"/>				
<b>LODGING</b> - List and attach receipted bills							
<b>MEALS</b> - If for more than one person show number							
Full Day							
Breakfast							
Lunch							
Dinner							
Special - Banquet, etc., - attach receipt or program							
<b>OTHER</b> - Telephone, Registration, Etc. (Explain)							
<b>HONORARIUM</b> - This will be reported to the appropriate taxing authorities.							
<b>REMARKS OR EXPLANATIONS:</b>							<b>DAILY TOTALS</b>
							<b>AMT. CLAIMED</b>

I hereby certify that the expenses as detailed above have actually been incurred by me and are proper reimbursable items. In addition, I certify that I am not a regular employee of the University of Akron. I also certify that no expenses are included above for alcoholic beverages.

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

Social Security Number or Individual Taxpayer Identification Number (ITIN) \_\_\_\_\_

**IMPORTANT:** Is the Payee, or the Beneficiary of the payment, a U.S. Citizen or Permanent Resident Alien?  Yes  No  
 If **NO**, please contact the university's Tax Manager at 330-972-6566.

**AMOUNT APPROVED**

**CHARGE SPEEDTYPE(S)**

I certify that all the information is correct:

Signature and date \_\_\_\_\_  
 Project Director

Printed name/contact \_\_\_\_\_ ext. \_\_\_\_\_

Signature and date \_\_\_\_\_  
 Dean

	<b>7005</b>
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	<b>5711</b>
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THE UNIVERSITY OF AKRON  
HONORARIUM AND EXPENSE AUTHORIZATION  
POLICIES AND PROCEDURES  
(NON-UNIVERSITY PERSONNEL)

**GENERAL**

This authorization may be used for both an honorarium and any expenses for travel incurred during an engagement with the university. An honorarium represents a payment for one-time services to an independent contractor who has provided special expertise in a course, workshop or other special project. Such one-time service may require several (3-5) sessions to present material. The payee shall not be the instructor of record and shall have no routine administrative duties during the course of engagement. A person who has an on-going employment relationship with the university shall NOT be paid through an Honorarium Authorization. The authorization must be submitted through the project director for approval within thirty (30) days after completion of the engagement. The check will be forwarded within two weeks after receipt of the completed form.

**NAME AND ADDRESS**

Please print or type your name and HOME address to facilitate the typing of the check without spelling errors.

**CHARGE DEPT./SPECIAL FUND**

Please be very specific as to where the expenses are to be charged, especially if the charge should be against a special fund, project or contract. This space should show the proper title of the department/special fund to be charged.

**TYPE OF SERVICE RENDERED**

Indicate briefly the service rendered, including the course number (if any), for which the service was performed.

**COMMERICAL TRANSPORTATION**

Attach a copy of the ticket stub for the mode of transportation used on the trip. Travel by air (tourist class if available in the United States, economy class if available when traveling abroad), rail, bus or other common carrier will be reimbursed. Travel insurance is not an allowable expense. Unused travel reservations must be released within the time limits specified by the carriers or the traveler is personally responsible for any charges assessed.

**MILEAGE REIMBURSEMENT**

Travel in privately owned automobiles may be reimbursed at the current UA rate per mile when traveling on official business. Mileage is payable to only one of two or more persons traveling on the same trip in the same vehicle. Local mileage must be detailed by showing FROM-TO and miles for each separate trip. Attach additional sheets where necessary. The mileage rate provided includes all expenses including car washes and maintenance costs incurred by use of privately owned automobiles when traveling on official business. Out of state travel expenses by private automobile will be paid only if the cost is less than the round trip tourist expense.

**OTHER TRANSPORTATION EXPENSES**

In addition to the mileage rate, reimbursement for parking, ferry fares, taxi fares, and turnpike tolls may be claimed. Each mode of transportation must be listed separately on the expense report. Receipts must be submitted for all items claimed.

**LODGING**

Reimbursement for expenses incurred in overnight stays at hotels or motels shall not exceed actual, reasonable expenses, plus tax. Expenses must be supported by a paid invoice. The University will not reimburse expenses incurred for any member of the payee's family.

**MEALS**

Expenses for actual cost of meals while traveling may be reimbursed up to the IRS rates. No reimbursement will be made for alcoholic beverages. In those instances in which a conference meal is required, the daily limit will not apply, but the meal expense must be supported by a program or an announcement, which shows the required meal and its cost. Gratuities are reimbursable, but are included in the meal limitations. When meal expense is being claimed for a guest, a receipt must be obtained. A notation should be made on the receipt giving the following information: Name of guest, reason for meeting, location and date of meeting.

**OTHER EXPENSES**

Expenses for local transportation, communication, and registration fees may be claimed. Expenditures for rental of cars, rental of space, etc. essential for the fulfillment of the purpose of the travel may be claimed, but must be supported by paid invoices and approved by the project director and appropriate dean.

**HONORARIUM**

Please show the previously agreed-upon honorarium for the engagement. IRS Form 1099, Information Return, will be filed with the applicable taxing units to assure compliance with existing federal, state and local tax reporting.

**APPROVAL**

The approving officials will normally be the project director and dean.

**SIGNATURE AND SOCIAL SECURITY NUMBER**

The signature and U.S. social security number or U.S. Individual Taxpayer Identification Number of the payee must be provided on the form.

**ACCOUNTING CODE(S)**

Show the first six (6) digits of the department/special fund (speedtype) to which the expenses are to be charged.

## CERTIFICATE

Section 431 of the American Competitiveness and Workforce Improvement Act (as revised October 1998) specifies that any alien admitted under 101(a)(15)(B) of the Immigration and Nationality Act may accept honorarium payment and associated incidental expenses for "usual academic activity" lasting no more than 9 days at any single institution, if the payment is offered by the institution for services conducted for the benefit of the institution. The foreign national may accept such payment only if he or she has not accepted such payment or expenses from more than five (5) institutions during the previous six (6) months.

Therefore, I \_\_\_\_\_ certify that I have received four (4) or fewer honorarium and/or expense reimbursements for services during the six (6) month period prior to my first day at The University of Akron.

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Signature

Date