Withholding Tax Update

May 2019

What's Inside

Luxembourg Makes a Big Debut 2

Ferrari Races by for Another Lap 2

Fiat Chrysler - Second Quick Refund Window (RD April 24) & Extraordinary Dividend (RD May 21) 2

Updates to Russian Submissions on ESP 3

Suspension of ADR Reclaims in Germany 3

Joe's Handy Hints! 3

Norwegian Long Form Requirements Streamlined 4

New Documentation Requirements for Pension Funds Claiming on Belgian Events 4

CA Web Elections for MIDAS Relief at Source Service 4

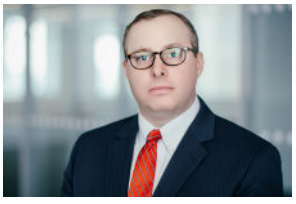
With the arrival of springtime, dividend season is in full bloom. In this edition, we cover several non-standard events – notably Fiat Chrysler Automobiles N.V. and Ferrari N.V.

In addition, we highlight the new quick refund process in Luxembourg and detail process changes in Russia, Germany, Norway, and Belgium. On the home front, we bring back the 'Handy Hints' column and overview the recent debut of automated CA Web elections in GlobeTax's MIDAS® relief at source service. Read on to learn more about the goings-on at GlobeTax and in the wider tax recovery sphere this quarter!

Best,

Joe Hands
Editor in Chief
Withholding Tax Update

Stay in Touch with the GlobeTax Depositary, CSD, & Issuer Services Team



Greggory Lewis
Director
Greggory_Lewis@GlobeTax.com

Jonathan Staake
Senior Vice President
Jonathan_Staake@GlobeTax.com

Leann Maurice
Assistant Vice President
Leann_Maurice@GlobeTax.com

Luxembourg Makes a Big Debut

GlobeTax is introducing a new quick refund process in Luxembourg that will debut with the upcoming Arcelor Mittal event (CUSIP 03938L203). Beginning with the May 17th Record Date event, eligible shareholders can claim favorable withholding tax benefits through the quick refund process for the first time. Investors can claim through two channels:

1. Through the double taxation treaty between Luxembourg and their country of residency;
2. Through Article 147 LIR, which grants exemption to non-individual shareholders with at least €1.2 million of purchased shares

Participants are urged to consult the Important Notice or contact LuxembourgESP@GlobeTax.com with any questions.

Ferrari Races by for Another Lap

It's that time of year again: reclaims are speeding in for the annual Ferrari dividend. This unique event is subject to both Dutch and Italian withholding tax – a combined 41% rate.

To reclaim tax withheld during the May 2, 2019 Pay Date, we are offering a dual submission process. Through ESP's disclosure process, users can eliminate the 15% Dutch withholding tax for non-Dutch residents. ESP users can also submit quick refund claims against the 26% Italian portion.

ESP and DTCC are supporting two election windows with cutoff dates of May 20, 2019 and June 19, 2019. Please view Important Notice B# 11116-19 for details or contact ItalyESP@GlobeTax.com for support.

Fiat Chrysler - Second Quick Refund Window (RD April 24) and Extraordinary Dividend (RD May 21)

GlobeTax is supporting a second quick refund window for Fiat Chrysler's (CUSIP: N31738102) April 24, 2019 dividend. The window will remain open until June 21, 2019.

The second round of quick refund will require CA Web elections at DTCC as well as a disclosure submission through ESP. This process mimics the initial quick refund window; payment will flow through DTCC.

GlobeTax will also be servicing the extraordinary dividend distribution announced for the May 21, 2019 Record Date. While submission requirements will remain the same, this event will be supported by relief at source and two quick refund windows. ESP/CA Web deadlines are May 23, June 11, and July 12, respectively.

Standard Dutch Tax procedures do not apply to this event. Instead, all non-Dutch residents are eligible for exemption if they are properly disclosed through ESP.

While Dutch beneficial owners are not entitled to reclaim through the quick refund or long form process, they are still encouraged to disclose through ESP to receive a voucher to claim directly with the Dutch Tax Authority.

Questions on the Fiat Chrysler events may be directed to DutchESP@GlobeTax.com.

Updates to Russian Submissions on ESP

ESP users will enjoy two new enhancements to the submission process for Russian Depositary Receipts.

First, entities seeking exempt or conditional withholding tax rates can now complete submissions entirely within ESP, eliminating the need for the Exhibit C Excel form. The new fields (DRs Exempt / Conditional, Beneficial Owner Name, and Article Reference #) have been added to accommodate exempt or conditional rates and are not required for standard ESP submissions.

Second, users no longer need to aggregate submissions by the beneficial owner's entity type and country of residency. As a result of this change, users can more accurately disclose beneficial owners.

Questions on these changes may be directed to RussiaESP@GlobeTax.com.

Suspension of ADR Reclaims in Germany

In addition to suspending the Electronic Filing Process (DTV/quick refund), the German Tax Authority has stopped accepting ADR long form claims. As a result, GlobeTax has halted processing on BNY Mellon, JPMorgan, Citi, Deutsche Bank, and Unsponsored German ADR claims until further notice.

Claims with a "received" status will remain pending until further notice. Claims approaching their Statute of Limitations will be handled in accordance with guidance provided by local custodians and the German Tax Authority.

This story follows the announcement made earlier this year regarding the suspension of the DTV/quick refund process. Please contact GermanyESP@GlobeTax.com with questions.

Hint #1 – Tired of Getting Hardcopy Checks?

There's no need to wait for paper checks when your claims are successful. Rather, GlobeTax offers an ACH-based system that facilitates payment instantly upon processing.

Please contact us to sign up for direct ACH payments.

Hint #2 – Want Clarification on a Reclaim Process?

GlobeTax offers webinars with DTCC Participants who are curious about withholding tax reclaim processes.

To schedule a webinar, please contact Jonathan_Staake@GlobeTax.com with your proposed topic so we can arrange a time to speak.

Hint #3 – Need to Check Claim Status?

GlobeTax offers ESP Reports, which show real-time statuses on filed claims.

Available to all ESP users, ESP Reports also allow participants to track their unclaimed positions, download payment documents, and more.

To access ESP Reports, please expand the dropdown menu under your name and DTC Participant number on the ESP Dashboard.

Norwegian Long Form Requirements Streamlined

Following discussions between GlobeTax's Norway team and local Norwegian custodial banks, the Norwegian ADR long form reclamation process has been simplified.

Effective immediately, the following documents are required for Norwegian long form claims:

1. ESP-generated claim cover letter
2. Certificate of dividend payment
3. Certificate of Residency / IRS Form 6166
4. Power of Attorney from beneficial owner to DTC Participant
5. Authorization

This change marks a reduction in the long form requirements from ten to five unique requirements. Submissions no longer require the non-individual claim questionnaire, plan documents, Norwegian attestation, reclaim detail spreadsheet, and additional authorization.

Please contact the Norwegian reclaims team at NorwayESP@GlobeTax.com with questions.

New Documentation Requirements for Pension Funds Claiming on Belgian Events

Effective immediately, all pension funds seeking tax relief on Belgian dividends must supply additional documentation. The Belgian Tax Authority has clarified requirements, which differ based on the reclaim process type.

For relief at source and quick refund submissions, pensions must supply a self-certified attestation confirming shares were held for 60 days without interruption. This attestation may be signed by the beneficial owner's legal representative if a Power of Attorney (POA) is provided.

For long form submissions, this attestation must be included as well as:

- Articles of association for the pension fund;
- A document describing the purpose of the pension fund and its activities
  - If the articles of association meet these requirements, an additional document is not required
  - Should an annual financial report be provided, it must be for year of the ordinary dividend pay date
- Proof of the pension fund's legal structure, such as an organization chart
  - This is only required if the pension fund is an underlying entity in a transparent entity

Questions about these new requirements may be directed to BelgiumESP@GlobeTax.com.

GlobeTax Debuts Automated CA Web Elections for MIDAS Relief at Source Service

We are pleased to announce the debut of automated CA Web elections into our MIDAS® relief at source service. By incorporating ISO 20022 messaging between DTCC and GlobeTax we've reduced time-consuming manual processing and eliminated common points of failure such as inverting or mistyping election results. ESP users interested in discussing our straight through processing capabilities should contact Info@GlobeTax.com for more information.